



CITY COUNCIL

AGENDA

January 7, 2002 – 7:30 P.M.
Council Chambers – City Hall
500 West Big Beaver, Troy, Michigan 48084
(248) 524-3300

CALL TO ORDER

1

Invocation & Pledge Of Allegiance – Mayor Pro Tem Thomas S. Kaszubski

1

ROLL CALL

1

A-1 Minutes: Regular Meeting of [December 17, 2001](#) 1

A-2 Introduction: (a) Xin Li – Proposed Student Representative for Troy Daze Committee; (b) Sergeant Michael Kerr – Service Commendation 1

PUBLIC HEARING

2

C-1 Request for Commercial Vehicle Appeal – 649 Troywood 2

C-2 Request for Commercial Vehicle Appeal – 2493 E. Maple 3

VISITOR COMMENTS

5

CONSENT AGENDA

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E-2 Standard Purchasing Resolution 5 – Approval of Funding Common Ground 6

E-3 Standard Purchasing Resolution 1: Award to Low Bidder – Library Roof Replacement 6

NOTICE: People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk (248) 524-3316 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

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CALL TO ORDER

Invocation & Pledge Of Allegiance – Mayor Pro Tem Thomas S. Kaszubski

ROLL CALL

Mayor Matt Pryor
Robin Beltramini
Martin F. Howrylak
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

A-1 Minutes: Regular Meeting of December 17, 2001

Suggested Resolution
Resolution #2002-01-
Moved by
Seconded by

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of December 17, 2001 be approved.

Yes:
No:

A-2 Introduction: (a) Xin Li – Proposed Student Representative for Troy Daze Committee; (b) Sergeant Michael Kerr – Service Commendation

PUBLIC HEARING

C-1 Request for Commercial Vehicle Appeal – 649 Troywood

Resolution #2002-01-

Moved by

Seconded by

(a) RESOLUTION A FOR APPROVAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Michael McKenna, 649 Troywood, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a Chevy cube van and Ford dump truck in a residential district is hereby **APPROVED for a period not to exceed two years.**

OR

(b) RESOLUTION B FOR DENIAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Mr. Michael McKenna, 649 Troywood, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of Chevy cube van and Ford dump truck in a residential district is hereby **DENIED**.

Yes:

No:

C-2 Request for Commercial Vehicle Appeal – 2493 E. Maple

Resolution #2002-01-

Moved by

Seconded by

(a) RESOLUTION A FOR APPROVAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has found that the petitioner has demonstrated the presence of the following condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Francisco Poblete, 2493 E. Maple, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a three dump trucks, one stake truck, a Bobcat, and a concrete power buggy and trailer in a residential district is hereby **APPROVED for a period not to exceed two years.**

OR

(b) RESOLUTION B FOR DENIAL

WHEREAS, Section 44.02.02 of Chapter 39, Zoning, of the Code of the City of Troy provides that actions to grant appeals to the restrictions on outdoor parking of commercial vehicles in residential districts pursuant to Section 40.66.00 of Chapter 39 of the Code of the City of Troy "shall be based upon at least one of the following findings by the City Council:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined that there are no reasonable or feasible alternative locations for the parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject residential site cannot accommodate, or cannot reasonably be constructed or modified to accommodate, the subject commercial vehicle.
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner which will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s)."; and

WHEREAS, The City Council of the City of Troy has not found that the petitioner has demonstrated the presence of condition(s), justifying the granting of a variance:

NOW, THEREFORE, BE IT RESOLVED, That the request from Francisco Poblete, 2493 E. Maple, for waiver of Chapter 39, Section 40.66.00, of the Code of the City of Troy, to permit outdoor parking of a three dump trucks, one stake truck, a Bobcat, and a concrete power buggy and trailer in a residential district is hereby **DENIED.**

Yes:

No:

VISITOR COMMENTS

Any person not a member of the Council may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members, said matter may be acted upon immediately. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. (Rules of Procedure for the City Council, Article 15, as amended May 7, 2001.)

CONSENT AGENDA

The Consent Agenda includes items of a routine nature and will be approved with one motion. That motion will approve the recommended action for each item on the Consent Agenda. Any Council Member may remove an item from the Consent Agenda and have it considered as a separate item. A member of the audience who wishes to speak in opposition to the recommended action for any given Consent Agenda item may do so with the approval of a majority vote of City Council. Any item so removed from the Consent Agenda shall be considered after other items on the consent business portion of the agenda have been heard. (Rules of Procedure for the City Council, Article 13, as amended May 7, 2001.)

E-1 Approval of Consent Agenda

Suggested Resolution

Resolution #2002-01-

Moved by

Seconded by

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Item(s) _____, which shall be considered after Consent Agenda (E) items, as printed.

Yes:

No:

E-2 Standard Purchasing Resolution 5 – Approval of Funding Common GroundSuggested Resolution

Resolution #2002-01-

RESOLVED, That the City Council of the City of Troy does hereby authorize continued support by providing \$2,100.00 from the Police Department contractual services account for Common Ground Programs.

E-3 Standard Purchasing Resolution 1: Award to Low Bidder – Library Roof ReplacementSuggested Resolution

Resolution #2002-01-

RESOLVED, That a contract to replace the roof at the Troy Public Library be awarded to the low bidder, Lutz Roofing Co., Inc., at an estimated total cost of \$431,594.00; and

BE IT FURTHER RESOLVED, That the award is contingent upon contractor submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements; and if additional work is required that could not be foreseen, such additional work is authorized in accordance with the unit prices contained in the attached bid tabulation dated December 5, 2001, a copy of which shall be attached to the original Minutes of this meeting, at an amount not to exceed 10% of the total project cost.

E-4 Standard Purchasing Resolution 3 – Exercise Renewal Option – Mosquito ControlSuggested Resolution

Resolution #2002-01-

WHEREAS, On May 10, 1999, a three-year contract with two one-year options to renew for mosquito control was awarded to the lowest acceptable bidder, Advanced Pest Management Co., Inc., (Resolution #99-259-E-4a); and

WHEREAS, Advanced Pest Management Co., Inc., has agreed to exercise the first of two one-year renewal options under the same terms and conditions at 2001 prices;

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contract is hereby exercised with Advanced Pest Management Co., Inc., to provide mosquito control to various sites under the same terms and conditions at 2001 prices, to expire December 31, 2002.

E-5 Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Fleet VehiclesSuggested Resolution

Resolution #2002-01-

RESOLVED, That contracts to provide fleet vehicles through Oakland County Cooperative Purchasing Agreements with Vollman Ford, Shaheen Chevrolet, Signature Ford L-M Jeep Eagle and Buff Whelan Chevrolet are hereby awarded at an estimated total cost of \$384,603.66.

E-6 Request for Approval to Pay Business Relocation Claims - Proposed Fire Station #3 Expansion – 2300 W. Big Beaver Road: (a) Linda L. Frey – Suite #16; (b) Vital International Programs, Inc. – Suites #15 & #17; (c) Raymond G. Mercier, M.D., P.C. - Suite #4**(a) Business Relocation Claim – Linda L. Frey - Suite #16**Suggested Resolution

Resolution #2002-01-

RESOLVED, That as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits on a fixed payment basis in the amount of \$17,981.00 to Linda L. Frey, the business being displaced from property at 2300 W. Big Beaver Road, Suite #16.

(b) Business Relocation Claim – Vital International Programs, Inc. - Suites #15 & #17Suggested Resolution

Resolution #2002-01-

RESOLVED, That as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits on a fixed payment basis in the amount of \$20,000.00 to Vital International Programs, Inc., the business being displaced from property at 2300 W. Big Beaver Rd., Suites #15 & #17.

(c) Business Relocation Claim – Raymond G. Mercier, M.D., P.C. - Suite #4Suggested Resolution

Resolution #2002-01-

RESOLVED, That as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits on a fixed payment basis in the amount of \$20,000.00 to Raymond G. Mercier, M.D., P.C., the business being displaced from property at 2300 W. Big Beaver Road, Suite #4.

E-7 Authorization for Mayor to Attend the 70th Winter Meeting of the United States Conference of MayorsSuggested Resolution

Resolution #2002-01-

RESOLVED, That Mayor Matt Pryor is authorized to attend the 70th Winter Meeting of the United States Conference of Mayors from January 22-26, 2002. The conference program is split between Washington, D.C. (January 22-24) and New York City (January 24-26).

E-8 Preliminary Engineering Services for Wattles Road, 1,000' East & West of Rochester Road – Project No. 01.106.5Suggested Resolution

Resolution #2002-01-

- (a) **Approval of Selection of Hubbell, Roth & Clark, Inc. to perform Preliminary Engineering Services and Approval of Contract between City of Troy and Hubbell, Roth & Clark, Inc. for Wattles Road, 1,000' East and West of Rochester Road, Project No. 01.106.5**

Suggested Resolution

Resolution #2002-01-

RESOLVED, That the selection of Hubbell, Roth & Clark, Inc. in accordance with the Michigan Department of Transportation Consultant Selection process, as outlined in the memorandum dated December 17, 2001, for Preliminary Engineering for Wattles Road, 1,000' East and West of Rochester Road, Project No. 01.106.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$109,440.98, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting

- (b) **Approval of Contract between City of Troy and Michigan Department of Transportation. – Preliminary Engineering, Wattles Road, 1,000' East and West of Rochester Road, Project No. 01.106.5**

Suggested Resolution

Resolution #2002-01-

RESOLVED, That the Preliminary Engineering Agreement between the City of Troy and the Michigan Department of Transportation for Preliminary Engineering for Wattles Road, 1,000' East and West of Rochester Road, Project No. 01.106.5, is hereby approved at an estimated cost to the City of Troy not to exceed \$109,440.98, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

E-9 Standard Purchasing Resolution 1 – Award to Low Bidder – Annual Flowers/ Bedding PlantsSuggested Resolution

Resolution #2002-01-

RESOLVED, That a contract to provide Seasonal Requirements of Annual Flowers and Bedding Plants is hereby awarded to the low bidder, Shemin Nurseries Inc., at unit prices contained in the bid tabulation opened December 18, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$9,683.45.

BE IT FURTHER RESOLVED, If additional quantities are needed that could not be foreseen, such additional quantity is authorized in an amount not to exceed 15% of the total project quantity is authorized in an amount not to exceed 15% of the total project quantity.

E-10 Standard Purchasing Resolution 1 – Award to Low Bidder – Television Production TruckSuggested Resolution

Resolution #2002-01-

RESOLVED, That a contract for a Television Production Truck is hereby awarded to the low bidder, Gerling and Associates, Inc., at an estimated cost of \$103,393.00.

BE IT FURTHER RESOLVED, That the optional proposals for on-site equipment warranty and maintenance contracts are hereby rejected.

REGULAR BUSINESS

Persons interested in addressing City Council on items, which appear on the printed Agenda, may do so at the time the item is discussed. For those addressing City Council, time may be limited to not more than twice nor longer than five (5) minutes on any question, unless so permitted by the Chair, in accordance with the Rules of Procedure of the City Council, Article 6, as amended May 7, 2001. Persons interested in addressing City Council on items, which are not on the printed Agenda, may do so under the last item of the Regular Business (F) Section.

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Board of Canvassers; (c) Board of Review; (d) Downtown Development Authority; (e) Historic District Commission; (f) Historical Commission; (g) Library Committee; (h) Liquor Committee; (i) Municipal Building Authority; (j) Planning Commission; (k) Traffic Committee; and (l) Troy Daze Committee

Suggested Resolution
Resolution #2002-01-
Moved by
Seconded by

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(a) Advisory Committee for Persons with Disabilities Council Appointment

_____ Term Expires 12-01-2003 (Alternate)

_____ Term Expires 12-01-2004

_____ Term Expires 12-01-2004

(b) Board of Canvassers Council Approval

_____ Unexpired Term Expires 12-31-2003

_____ Term Expires 12-31-2005

_____ Term Expires 12-31-2005

(c) Board of Review Mayor, Council Approval

_____ Term Expires 01-31-2002

(d) Downtown Development Authority Mayor, Council Approval

_____ Term Expires 09-30-2005

(e) Historic District Commission Council Appointment

_____ Term Expires 03-01-2004

(f) Historical Commission Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 07-31-2004

(g) Library Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(h) Liquor Committee

Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 01-31-2002

_____ Term Expires 01-31-2002

(i) Municipal Building Authority

Council Appointment

_____ Term Expires 01-31-2005

_____ Term Expires 01-31-2005

(j) Planning Commission

Mayor, Council Approval

_____ Term Expires 12-31-2004

(k) Traffic Committee

Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 01-31-2005

_____ Term Expires 01-31-2005

_____ Term Expires 01-31-2005

(l) Troy Daze Committee

Council Appointment

_____ Student Rep Term Expires 07-01-2002

Yes:

No:

F-2 Closed Session – No Session Requested

F-3 2002 Magic of Fall/Troy Daze FestivalSuggested Resolution

Resolution #2002-01-

Moved by

Seconded by

RESOLVED, That the Troy Daze/Magic of Fall activities are hereby approved as requested by the Troy Daze Advisory Committee, and a copy shall be attached to and made a part of the original Minutes of this meeting.

Yes:

No:

F-4 Proposed Snow Emergency Ordinance – Chapter 33

Suggested Resolution

Resolution #2002-01-

Moved by

Seconded by

RESOLVED, That an ordinance amendment to Chapter 33, Section 4.25 is hereby adopted as recommended by the City Manager. A copy of this ordinance shall be attached to the original Minutes of this meeting.

Yes:

No:

F-5 Set Public Hearings for Texaco Ovonic Battery Systems, IDD & IFEC

- (a) **Set Public Hearing at the Request of Texaco Ovonic Battery Systems LLC to Establish an Industrial Development District (IDD) at 1334 Mapelawn, Parcel #88-20-28-301-003**

Suggested Resolution

Resolution #2002-01-

Moved by

Seconded by

RESOLVED, That a Public Hearing is hereby scheduled for Monday, February 4, 2002, to consider the request from Texaco Ovonic Systems LLC, for the establishment of an Industrial Development District at 1334 Mapelawn, Troy MI, Parcel # 88-20-28-301-003, contingent upon receiving the completed Application or Industrial Facilities Exemption Certificate by January 21, 2002.

Yes:

No:

(b) **Set Public Hearing for the Application for Industrial Facilities Exemption Certificate (IFEC) by Texaco Ovonic Battery Systems, LLC, 1334 Maplawn, Parcel #88-20-28-301-003**

Suggested Resolution

Resolution #2002-01-

Moved by

Seconded by

RESOLVED, That a Public Hearing is hereby scheduled for Monday, February 4, 2002, to consider the Application for an Industrial Facilities Exemption Certificate from Texaco Ovonic Battery Systems LLC, at 1334 Maplawn, Troy, MI Parcel #88-20-28-301-003, contingent upon receiving the completed Application for Industrial Facilities Exemption Certificate by January 21, 2002.

Yes:

No:

F-6 Petition Analysis, Paving of Donaldson SAD #01.111.1

(a) **Standard Resolution #1**

Suggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

RESOLVED, That Standard Resolution #1 be hereby adopted to direct the preparation of plans and cost estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Donaldson in Section 3, Project No. 01.111.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

Yes:

No:

(b) **Standard Resolution #2**

Suggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

RESOLVED, That Standard Resolution #2 be hereby adopted to approve plans and cost estimates for a Special Assessment to pay all or part of the cost of Asphalt Paving of Donaldson in Section 3, Project No. 01.111.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

Total Estimated Cost	\$ 295,432.00
Assessment (22 units @ \$ 3,429.09 ea.)	75,439.98
City's Share	219,992.02

BE IT FURTHER RESOLVED, That the City Assessor is hereby ordered and directed to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

Yes:

No:

(c) Standard Resolution #3

Suggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

RESOLVED, That Standard Resolution #3 be hereby adopted to set a Public Hearing date on the Special Assessment roll for Asphalt Paving of Donaldson in Section 3, Project No. 01.111.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said Public Hearing to be established for February 18, 2002.

Yes:

No:

F-7 Proposed Ballot Language – Pension Preclusion

Suggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

(a) Proposed Resolution A

RESOLVED, That the following question be placed on the ballot for the General Election to be held April 1, 2002:

Shall the City of Troy, County of Oakland, Michigan, amend Section 15.13 of the Charter of the City of Troy, which currently provides that "The Council may, by ordinance, provide for a retirement and pension system for any and all persons in the service of the City" by adding the following language: "except that these benefits shall not be offered to any board or committee member who does not qualify as an employee or former employee, or to any elected official of the City"?

OR

(b) Proposed Resolution B

RESOLVED, That the following question be placed on the ballot for the General Election to be held April 1, 2002:

Shall the City of Troy, County of Oakland, Michigan, amend Section 6.14 of the Charter of the City of Troy, which currently provides that "The Council shall have the power to make available to the administrative officers and employees of the City and its department and boards any recognized standard plan of group life, hospital, health or accident insurance" by adding the following language: "except that these benefits shall not be offered to any board or committee member who does not qualify as an employee or former employee, or to any elected official of the City"?

Yes:

No:

F-8 Torpey-Exercise of Option to PurchaseSuggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

RESOLVED, That the Offer to Purchase the Remainder of Parcel 38-A, between the City of Troy and Dennis M. Torpey and David Cinader, is hereby accepted, and the Mayor and City Clerk are authorized to execute the documents, and a copy shall be attached to the original Minutes of this meeting.

Yes:

No:

F-9 Proposed Council Resolution for Employee Reservists Called to Active DutySuggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

WHEREAS, The City of Troy City Council recognizes President Bush's Executive Order 13223 of September 14, 2001, ordering the Ready Reserve of the Armed Forces to active duty, the declaration of a national emergency by reason of certain terrorist attacks at the World Trade Center, New York and the Pentagon, and the continuing threat to the United States; and

WHEREAS, The City of Troy City Council recognizes that certain employees of the City of Troy are employed as reservists in the Armed Services for the United States and wish to recognize that the call to active duty for any of its employees who are reservists could cause a financial hardship; and

WHEREAS, The City of Troy City Council, pursuant to the Uniform Services Employment and Reemployment Rights Act of 1994, has the authority to supplement benefits to their employees who may be called to active duty and wishes to do the same.

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Manager is hereby authorized to provide any full-time employee of the City of Troy called to active duty as a reservist of the Armed Forces pursuant to the Executive Order 13223 of September 14, 2001, with additional pay and benefits, including, but not limited to:
 - a. Leave with pay for the purpose of allowing a regular employee to fulfill his/her active military reserve commitment and that the employee will be paid the difference between his/her regular salary and his/her pay from military active duty time. To receive such benefits, the employee must provide his/her leave and earning statements in order to compute the proper difference.
 - b. Insurance benefits, including health, disability, and life insurance, that the employee is receiving during his/her employment with the City of Troy that shall continue for such time as the employee is actually serving on active military duty based upon a forty-hour workweek.
 - c. That the additional benefits shall continue while Executive Order 13223 of September 14, 2001 is in effect or until the expiration of twelve (12) months from the date that the Letter of Understanding is entered into, whichever is sooner, unless mutually extended by the parties. That all benefits previously provided for military leave will otherwise be governed by the collective bargaining agreements between the City and the respective unions, except as otherwise modified herein.

Yes:

No:

F-10 Award – Request for Proposal – Community Center Café/Pro Shop Operation

Suggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

RESOLVED, That a three (3) year contract to provide a café and pro shop operation in the Community center is hereby awarded to Emerald Food Service, at an incremental revenue sharing plan as detailed in Appendix A, based upon conditions listed in the Agreement for the Community center Café/Pro Shop, copies of which shall be attached to the original Minutes of this meeting.

BE IT FURTHER RESOLVED, That the contract award is contingent upon contractor submission of properly executed agreement and proposal documents, including insurance certificates and all other specified requirements.

Yes:

No:

COUNCIL COMMENTS/REFERRALS

Council adopted a resolution on July 9, 2001 indicating that proceeds from monies generated from the sale of surplus SOCRRA land in Rochester Hills be placed in escrow for a period no greater than six (6) months. This time frame expires on January 9, 2002 and Mayor Pryor has asked for an additional six (6)-month extension. As such, the following resolution is offered for your consideration:

Suggested Resolution

Resolution #2002-01-

Moved by:

Seconded by:

RESOLVED, That proceeds from the monies generated from the sale of surplus land by SOCRRA in Rochester Hills be placed in escrow for a period no greater than six (6) months.

Yes:

No:

VISITORS

Any person not a member of the Council who have not addressed Council during the 1st Visitors Comments may address the Council with recognition of the Chair, after clearly stating the nature of his/her inquiry. Any such matter may be deferred to another time or referred for study and recommendation upon the request of any one Council Member except that by a majority vote of the Council Members, said matter may be acted upon immediately. No person not a member of the Council shall be allowed to speak more than twice or longer than five (5) minutes on any question, unless so permitted by the Chair. The Council may waive the requirements of this section by a majority of the Council Members. (Rules of Procedure for the City Council, Article 5 (16) and Article 15, as amended May 7, 2001.)

REPORTS AND COMMUNICATIONS

G-1 Proposed City of Troy Proclamations:

Resolution #2002-01-

Moved by

Seconded by

RESOLVED, That the following City of Troy Proclamations, be approved:

- (a) Daniel D. MacLeish – 2002 President of the Building Industry Association
- (b) Stephen J. Taglione – 2002 President of the Building Industry Association
- (c) Sergeant Michael Kerr – Service Commendation

Yes:

No:

G-2 Minutes – Boards and Committees:

- (a) Liquor Advisory Committee/Final – November 12, 2001
- (b) Planning Commission/Final – November 13, 2001
- (c) Employees' Retirement System Board of Trustees/Final – November 14, 2001
- (d) Board of Zoning Appeals/Final – November 20, 2001
- (e) Advisory Committee for Persons with Disabilities/Draft – December 5, 2001
- (f) Advisory Committee for Senior Citizens/Final – December 6, 2001
- (g) Police and Fire Commission (Act 78)/Final – December 6, 2001
- (h) Liquor Advisory Committee/Draft – December 10, 2001
- (i) Employees' Retirement System Board of Trustees/Draft – December 12, 2001
- (j) Library Advisory Board/Draft – December 13, 2001
- (k) Police and Fire Commission (Act 78)/Draft – December 13, 2001

G-3 Department Reports:

- (a) 2001 Financial Summary – Financial Services Division

G-4 Announcement of Public Hearings:

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6 Letters of Appreciation:

- (a) Letter to Chief Charles Craft from R. Kevin VanDette-DuPont Herberts Automotive Systems, Re: Presentation on Crime Prevention and Safety by Sgt. David Swanson
 - (b) Letter to Mayor Pryor from Janet H. Jopke, Ed.D – Superintendent of Schools – Troy School District, Re: Signs Placed at the Four Major Gateways into Troy Announcing Achievements of the Troy School District
 - (c) Letter to Chief Charles Craft from Debasish Ghosh, President, Bichitra, Inc., Re: Thank You for Providing Security During Their Annual Event
 - (d) Letter to Chief Charles Craft from D/Sgt. James Knobelsdorf-City of Roseville Police Department, Re: Thanking Detective Diane Campbell for her Assistance With a Larceny Case
 - (e) Letter to Chief Charles Craft from Reverend Bernard J. Mullen-St. Joseph Catholic Community Church, Lapeer, Re: Expression of Gratitude for Lieutenant Keith Frye's Participation in a Memorial Ceremony at Their All Souls' Day Mass
 - (f) Letter to John Szerlag from Thomas and Susan Cox, Re: Storm Drain Project in Their Neighborhood
-

G-7 Calendar

G-8 Memorandum Re: Vehicle Auction

G-9 Skate Park Location

G-10 City Precinct Redistricting

G-11 Agenda from Building Industry Association

G-12 Red Oaks Golf Course

Respectfully submitted,

John Szerlag, City Manager

A Regular Meeting of the Troy City Council was held Monday, December 17, 2001, at City Hall, 500 W. Big Beaver Road. Mayor Pro Tem Kaszubski called the Meeting to order at 7:43 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given by Council Member Anthony N. Pallotta and the Pledge of Allegiance to the Flag was given.

ROLL CALL

PRESENT: Mayor Matt Pryor (Absent)
Robin E. Beltramini
Martin F. Howrylak
Thomas S. Kaszubski
David A. Lambert
Anthony N. Pallotta
Louise E. Schilling

Excuse Mayor Matt Pryor

Resolution #2001-12-597
Moved by Pallotta
Seconded by Schilling

RESOLVED, That Mayor Pryor be excused due to being out of town.

Yes: All-6
Absent: Pryor

A-1 Minutes: Regular Meeting of December 3, 2001

Resolution #2001-12-598
Moved by Pallotta
Seconded by Schilling

RESOLVED, That the Minutes of the 7:30 PM Regular Meeting of December 3, 2001 be approved.

Yes: All-6
Absent: Pryor

A-2 Presentations: (a) Service Commendation – Susan Blank; (b) Service Commendation – Robert Skinner

Mayor Pro Tem Kaszubski presented Service Commendations to Susan Blank and Robert Skinner for their service as Parks and Recreation employees of the City of Troy.

CARRY-OVER ITEMS

B-1 Equalizer Presentation

Staff provided a 10-minute presentation to City Council highlighting the benefits of the Equalizer received by both the citizens and City staff.

PUBLIC HEARING

C-1 Continuance of Public Hearing from November 19, 2001 for Request for Parking Variance – 1477 John R

Staff provided a 5-minute presentation regarding this item.

Resolution #2001-12-599

Moved by Pallotta

Seconded by Beltramini

WHEREAS, Chapter 39, Section 44.00 and Section 43.72.00 of the Troy Zoning Ordinance provide that the City Council may grant variances from the off-street parking requirements of the Zoning Ordinance upon general findings that:

1. The variance would not be contrary to public interest or general purpose and intent of the Zoning Ordinance; and
2. The variance does not permit the establishment of a prohibited use as a principal use within a zoning district; and
3. The variance does not cause an adverse effect to the properties in the immediate vicinity or zoning district; and
4. The variance relates only to property described in the application for variance; and

WHEREAS, Chapter 39, Section 43.72.00 also requires that in granting the requested variance, the City Council shall find that the practical difficulties justifying the variances are:

1. That absent a variance, no reasonable use can be made of the property; or
2. That absent a variance, a significant natural feature would be negatively affected or destroyed; or
3. That absent a variance, public health, safety and welfare would be negatively affected; or
4. That literal enforcement of the Zoning Ordinance precludes full enjoyment of the permitted use and makes conforming unnecessarily burdensome. In this regard, the City Council shall find that a lesser variance does not give substantial relief, and that the relief requested can be granted within the spirit of the Ordinance, and within the interests of public safety and welfare; and

WHEREAS, The City Council finds the above-stated general conditions to be present and finds the practical difficulty stated above to be operative in the appeal, as long as the following conditions are met:

1. The attached lease agreement between Mario's of Troy and Timed Properties shall be immediately executed between the parties, and recorded with the Oakland County Register of Deeds.
2. The attached lease agreement between Mario's of Troy and Timed Properties shall be operative and binding for as long as the requested outdoor dining of Mario's Inc. is requested. Proof of the effectiveness of the referenced lease agreement shall be provided upon request of City of Troy representatives.
3. The proposed parking, which Mario's of Troy intends to lease from Timed Properties, must be constructed and approved before a certificate of occupancy can be granted for the outdoor dining request of Mario's of Troy.
4. The property located at 1940 E. Maple, Troy, Michigan, shall not be utilized to meet the City's minimum parking space requirements for Mario's.

NOW, THEREFORE, BE IT RESOLVED, That the request from David Donnellon for waiver of 48 parking spaces at the development at 1477 John R be **APPROVED**.

Yes: All-6

Absent: Pryor

**C-2 Acceptance of a Local Law Enforcement Block Grant – Standard Purchasing
Resolution 4: State of Michigan Extended Purchasing Program Award – Automatic
External Defibrillators (AED's)**

Resolution #2001-12-600

Moved by Schilling

Seconded by Lambert

RESOLVED, The City of Troy accepts a Local Law Enforcement Block Grant in the sum of \$30,964.00 and hereby approves and designates the use of the grant for the purchase of Automatic External Defibrillators (AED's).

BE IT FURTHER RESOLVED, That a contract for the purchase of Automatic External Defibrillators from Laerdal Corporation is hereby approved through the State of Michigan Extended Purchasing Program (Contract #071B0000531) at an estimated cost of \$34,368.00.

Yes: All-6

Absent: Pryor

C-3 Proposed Rezoning from C-4 Motion – North Side of Maple, West of Livernois – Section 28, B-2 to H-S

Staff provided a 5-minute presentation regarding this item.

Resolution #2001-12-601

Moved by Howrylak

Seconded by Pallotta

RESOLVED, That the B-2 to H-S rezoning request of a 0.7343 acre/31,984 square feet, located on the north side of Maple and west of Livernois is hereby approved, as recommended by City Management and by the Planning Commission.

Yes: All-6

Absent: Pryor

C-4 Proposed Rezoning from Burton-Katzman Company – North of Big Beaver, East Side of Wilshire - Section 21, R-C to O-S-C

Staff provided a 5-minute presentation regarding this item.

Resolution #2001-12-602

Moved by Beltramini

Seconded by Howrylak

RESOLVED, That the R-C to O-S-C rezoning request of 1.857 acres, located north of Big Beaver, on the east side of Wilshire and on the west side of I-75, is hereby approved, as recommended by City Management and by the Planning Commission.

BE IT FURTHER RESOLVED, That at the time of site plan approval, the surrounding homeowner associations be notified of the meeting.

Yes: All-6

Absent: Pryor

RECESS: 9:18 PM– 9:27 PM

VISITOR COMMENTS**CONSENT AGENDA**

E-1 Approval of Consent Agenda

Resolution #2001-12-603

Moved by Pallotta
Seconded by Schilling

RESOLVED, That all items as presented on the Consent Agenda are hereby approved as presented with the exception of Items E-2 and E-9, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-6
Absent: Pryor

E-3 Repeal of Chapter 92

Resolution #2001-12-603-E-3

RESOLVED, That Chapter 92, of the Troy City Code, is hereby repealed.

E-4 Payment of Updated Tree Appraisal Amounts – 3640 W. Big Beaver – Parcel 2-N, Project – Adams to Coolidge – Project No. 93.207.6

Resolution #2001-12-603-E-4

RESOLVED, That the Real Estate and Development Department is hereby authorized to pay Frank A. Winay and Nancy A. Winay, owners of 3640 West Big Beaver the total amount of \$16,965.28 for payment of additional tree appraisal amounts based on supplemental appraisals dated August 8, 2001 and December 3, 2001.

E-5 Standard Purchasing Resolution 3: Exercise Renewal Option – Gasoline and Diesel Fuel Contracts

Resolution #2001-12-603-E-5

WHEREAS, On January 10, 2000, two (2) year contracts with an option to renew for two (2) additional years to provide gasoline and diesel fuel were awarded to the low bidders, Barrick Enterprises, Inc. and Atlas Oil Company (Resolution #2000-20); and

WHEREAS, Both awarded bidders have agreed to exercise the two-year option to renew and the City of Sterling Heights has approved the contracts under the same pricing structure, terms, and conditions for participating members of the Tri-County Purchasing Cooperative;

NOW, THEREFORE, BE IT RESOLVED, That the option to renew the contracts are hereby exercised with Barrick Enterprises, Inc. and Atlas Oil Company to provide gasoline and diesel fuel under the same pricing structure, terms, and conditions for two years expiring January 31, 2004.

E-6 Standard Purchasing Resolution 1: Award to Low Bidder – One (1) 86,000 GVW Tri-Axle Dump Truck, 2002 Model

Resolution #2001-12-603-E-6

RESOLVED, That a contract to purchase one (1) 86,000 GVW Tri-Axle Dump Truck, 2002 Model with 14-16 yard dump box, underbody scraper, front mounted snowplow and V-bottom salt spreader with hydraulic system, including the upgraded hydraulic and fuel tanks (from a 10 gauge to a 7 gauge thickness), is hereby awarded to the low bidder, Wolverine Truck Sales, Inc., at unit prices contained in the bid tabulation opened November 14, 2001, a copy of which shall be attached to the original Minutes of this meeting at an estimated total cost of \$133,969.00.

E-7 Private Agreement for Pipefitters Training Center Project No. 01.940.3

Resolution #2001-12-603-E-7

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Pipefitters Training Center, is hereby approved for the installation of water main and paving on the site and in the adjacent right-of-way, and the Mayor and City Clerk are authorized to execute the documents, a copy of which shall be attached to the original Minutes of this meeting.

E-8 Request for Approval to Pay Business Relocation Claim – Petro-Chem Equipment Sales, Inc. (Joseph W. Kabacinski) – Proposed Fire Station #3 Expansion – 2300 West Big Beaver Road, Suite #12

Resolution #2001-12-603-E-8

RESOLVED, That as required by Michigan Laws and Federal Guidelines, the City Council of the City of Troy hereby authorizes payment for relocation benefits on a fixed payment basis in the amount of \$20,000.00, to Petro-Chem Equipment Sales, Inc. (Joseph W. Kabacinski), the business being displaced from property at 2300 West Big Beaver Road, Suite #12.

E-10 Application for Transfer of Stock from C.A. Muer Corporation**(a) License Transfer**

Resolution #2001-603-E-10 a

RESOLVED, That the request from C.A. MUER CORPORATION, to transfer all stock in 2001 Class C licensed business, located at 5498 Crooks, Troy, from current stockholders (several) to new stockholder, HOSPITALITY PROPERTY GROUP LLC, be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance.

(b) Agreement

Resolution #2001-603-E-10 b

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with C. A. MUER CORPORATION, which shall become effective upon approval of the request to transfer all stock to HOSPITALITY PROPERTY GROUP LLC; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

E-11 Standard Purchasing Resolution 1: Award to Low Bidder – Irrigation System Installation

Resolution #2001-603-E-11

RESOLVED, That a contract for Irrigation Installation at Raintree and Boulan Parks, is hereby awarded to the low bidder, Advanced Irrigation Systems, Inc., at an estimated total cost of \$26,050.00.

BE IT FURTHER RESOLVED, That the award is contingent upon contractors submission of properly executed proposal and bid documents, including bonds, insurance certificates and all other specified requirements, and if additional work is required that could not be foreseen, such additional work is authorized in accordance with the Schedule of Values dated November 26, 2001, a copy of which shall be attached to the original Minutes of this meeting in an amount not to exceed 10% of the total project cost.

ITEMS TAKEN OUT OF ORDER

E-2 Petition Analysis, Paving of Westaway, Section 3, SAD – Project No. 01.112.1**(a) Standard Resolution #1**

Resolution #2001-12-604 a
Moved by Pallotta
Seconded by Schilling

RESOLVED, That Standard Resolution #1 be hereby adopted to direct the preparation of plans and costs estimates for the Special Assessment to pay all or part of the cost of Asphalt Paving of Westaway in Section 3, Project No. 01.112.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City of Troy.

(b) Standard Resolution #2

Resolution #2001-12-604 b
Moved by Pallotta
Seconded by Schilling

RESOLVED, That Standard Resolution #2 be hereby adopted to approve plans and cost estimates for a Special Assessment to pay all or part of Asphalt Paving of Westaway in Section 3, Project No. 01.112.1, all pursuant to Sections 1.1 and 1.2 of Chapter 5 of the Code of the City Troy,

Total Estimated Cost	\$280,843.00
Assessment (20 units @ \$3,439.50 ea.)	68,790.00
City's Share	212,053.00

BE IT FURTHER RESOLVED, That the City Assessor is hereby ordered and directed to prepare a Special Assessment Roll in accordance with Chapter 5 of the Code of the City of Troy.

(c) Standard Resolution #3

Resolution #2001-12-604 c
Moved by Pallotta
Seconded by Schilling

RESOLVED, That Standard Resolution #3 be hereby adopted to set a Public Hearing date on the Special Assessment roll for Asphalt Paving of Westaway in Section 3, Project No. 01.112.1, all pursuant to Chapter 5 of the Code of the City of Troy, with said Public Hearing to be established for February 4, 2002.

Yes: Beltramini, Kaszubski, Lambert, Pallotta, Schilling
No: Howrylak
Absent: Pryor

E-9 Application for Transfer of Ownership from Jumbo Investment, Inc.**(a) License Transfer**

Resolution #2001-12-605 a
Moved by Pallotta
Seconded by Howrylak

RESOLVED, That the request from JUMBO INVESTMENT, INC. to transfer ownership of 2000 Class C licensed business (license only currently in escrow), with Dance Permit and Official Permit (Food), located at 1555 E Maple, Troy, from YEE'S INVESTMENT, INC., be considered for approval. It is the consensus of this legislative body that the application be recommended for issuance.

(b) Agreement

Resolution #2001-12-605 b
Moved by Howrylak
Seconded by Pallotta

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances;

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby approves an agreement with JUMBO INVESTMENT, INC., which shall become effective upon approval of the transfer of ownership of 2000 Class C licensed business, with Dance Permit and Official Permit (Food), located at 1555 E Maple, Troy, from YEE'S INVESTMENT, INC.; and the Mayor and City Clerk are authorized to execute the document, a copy of which shall be attached to the original Minutes of this meeting.

Yes: All-6
Absent: Pryor

REGULAR BUSINESS

F-1 Appointments to Boards and Committees: (a) Advisory Committee for Persons with Disabilities; (b) Board of Canvassers; (c) Civil Service Commission (Act 78); (d) Downtown Development Authority; (e) Election Commission; (f) Historic District Commission; (g) Historical Commission; (h) Library Committee (i) Liquor Committee; (j) Planning Commission; (k) Traffic Committee; and (l) Troy Daze Committee

Resolution #2001-12-606

Moved by Beltramini

Seconded by Pallotta

RESOLVED, That the following persons are hereby appointed by the City Council to serve on the Boards and Committees as indicated:

(c) Civil Service Commission (Act 78)

Mayor, Council Approval

David C. Cannon Term Expires 04-30-2006

(e) Election Commission

Council Appointment

Timothy Dewan Term Expires 01-31-2003

David C. Anderson Term Expires 01-31-2003

Yes: All-6

Absent: Pryor

Appointments Carried-Over as Item F-1 on the Next Regular City Council Meeting Agenda Scheduled for January 7, 2002:

(a) Advisory Committee for Persons with Disabilities

Council Appointment

_____ Term Expires 12-01-2003 (Alternate)

_____ Term Expires 12-01-2004

_____ Term Expires 12-01-2004

(b) Board of Canvassers

Council Approval

_____ Unexpired Term Expires 12-31-2003

_____ Term Expires 12-31-2005

_____ Term Expires 12-31-2005

The City Clerk's Office has contacted the Democratic and Republican Parties for Oakland County for their recommendations.

(d) Downtown Development Authority Mayor, Council Approval

_____ Term Expires 09-30-2005

(f) Historic District Commission Council Appointment

_____ Term Expires 03-01-2004

(g) Historical Commission Council Appointment

_____ Student Rep Term Expires 07-01-2002

_____ Term Expires 07-31-2004

(h) Library Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(i) Liquor Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(j) Planning Commission Mayor, Council Approval

_____ Term Expires 12-31-2004

(k) Traffic Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

(l) Troy Daze Committee Council Appointment

_____ Student Rep Term Expires 07-01-2002

F-2 Closed Session

RESOLVED, That the City Council of the City of Troy shall meet in Closed Session as permitted by State Statute MCLA 15.268, Section (e), Taleb v. City of Troy and Neiman Marcus, after adjournment of this meeting.

There is a consensus of City Council for the City Attorney to represent the City of Troy in the above case.

F-3 Fetterly Drain and the Proposed Oak Forest Subdivision

Staff provided a 5-minute presentation regarding this item.

Resolution #2001-12-
Moved by Howrylak
Seconded by Schilling

RESOLVED, That the City of Troy grants approval to access the Fetterly Drain easement across City-owned property adjacent to Jaycee Park, subject to review and approval by the City of Troy, Oakland County Drain Commission, and the Michigan Department of Environmental Quality of site engineering plans meeting all applicable state, and local laws, ordinances and design requirements, including state wetland regulation; and

BE IT FURTHER RESOLVED, That approval is also subject to City access to property impacted by the Fetterly Drain improvements in order to inventory existing wetlands and assurance that impacts to state-regulated wetlands are eliminated or mitigated to the satisfaction of the city and the Michigan Department of Environmental Quality.

Resolution to Postpone

Resolution #2001-12-
Moved by Beltramini
Seconded by Pallotta

RESOLVED, That Fetterly Drain and the proposed Oak Forest Subdivision be postponed until the Regular City Council Meeting scheduled for March 18, 2002.

Vote on Amendment

Resolution #2001-12-607
Moved by Beltramini
Seconded by Pallotta

RESOLVED, That Resolution be amended by striking "until" and inserting "to a date no later than" .

Yes: All-6
Absent: Pryor

Vote on Amended Resolution

Resolution #2001-12-608
Moved by Beltramini
Seconded by Pallotta

RESOLVED, That Fetterly Drain and the proposed Oak Forest Subdivision be postponed to a date no later than the Regular City Council Meeting scheduled for March 18, 2002.

Yes: All-6
Absent: Pryor

Suspend City Council Rules

Resolution #2001-12-609
Moved by Howrylak
Seconded by Lambert

RESOLVED, That City Council suspend Rules of Procedure #5 and move Item G-16, Joint Recommendation to Relocate Historic Methodist Church and Parsonage from its Current Site on Square Lake to the Village Green and F-7, Award of Contract for Phase I of Museum Physical Maintenance and Conservation Plan before Regular Business Item F-4, Sister City Program on the current agenda.

Yes: All-6
Absent: Pryor

G-16 Joint Recommendation to Relocate Historic Methodist Church and Parsonage from its Current Site on Square Lake to the Village Green

Mr. Yurk of Gerald J. Yurk & Associates provided a brief presentation regarding the relocation of the historic Methodist Church and Parsonage.

F-7 Award of Contract for Phase I of Museum Physical Maintenance and Conservation Plan

Resolution #2001-12-610

Moved by Howrylak

Seconded by Schilling

WHEREAS, Gerald J. Yurk Associates, Incorporated is listed on the State of Michigan's History Division's List of Qualified Historic Preservation Architects; and

WHEREAS, The Historical Commission and City Management recommend Gerald J. Yurk Associates, Incorporated;

NOW, THEREFORE, BE IT RESOLVED, That the contract for Architectural Services to provide the Building Assessment that is Phase I of a Comprehensive Physical Maintenance and Conservation Plan for the Museum is awarded to Gerald J. Yurk Associates, Incorporated, for an amount not to exceed \$20,580.00.

NOW, LET IT BE FURTHER RESOLVED, That an amount of \$2,058.99 be approved to cover reimbursable expenses and additional unforeseen work.

Yes: All-6

Absent: Pryor

F-4 Sister City Program

Resolution #2001-12-611

Moved by Schilling

Seconded by Lambert

RESOLVED, That staff from the Community Affairs Department and the City Manager's Office will research the opportunities and make recommendations related to establishing a Sister City Relationship between a foreign city and the City of Troy. Membership fees for Sister Cities International (SCI) can be included in the 2002-03 budget. Annual SCI membership fees for Troy (based on population) would be \$525.00 for 2002 and increase to \$575.00 for 2003.

Yes: All-6

Absent: Pryor

F-5 Proposed Ballot Language - Wetlands

Resolution #2001-12-
Moved by Kaszubski
Seconded by Pallotta

RESOLVED, That the following question be placed on the ballot for the General Election to be held April 1, 2002:

“Shall the City of Troy, County of Oakland, Michigan, borrow a sum not to exceed \$18,000,000.00 and issue, in one or more series, its general obligation unlimited tax bonds within five years from the date hereof, for the purpose of acquiring property with natural features such as wetlands, watercourses, lake plain prairies, steep slopes or threatened or endangered species critical habitats?”.

Vote on Amendment 1

Resolution #2001-12-612
Moved by Lambert
Seconded by Howrylak

Resolved, That ballot language for Wetlands be proposed for the General Election scheduled for November 5, 2002.

Yes: Lambert, Howrylak
No: Pallotta, Schilling, Beltramini, Kaszubski
Absent: Pryor

MOTION FAILED**Vote on Amendment 2**

Resolution #2001-12-613
Moved by Lambert
Seconded by Beltramini

RESOLVED, That proposed ballot language for Wetlands be amended by striking “steep slopes”.

Yes: Pallotta, Schilling, Beltramini, Kaszubski, Lambert
No: Howrylak
Absent: Pryor

Vote on Amended Resolution

Resolution #2001-12-614

Moved by Kaszubski

Seconded by Pallotta

RESOLVED, That the following question be placed on the ballot for the General Election to be held April 1, 2002:

“Shall the City of Troy, County of Oakland, Michigan, borrow a sum not to exceed \$18,000,000.00 and issue, in one or more series, its general obligation unlimited tax bonds within five years from the date hereof, for the purpose of acquiring property with natural features such as wetlands, watercourses, lake plain prairies, or threatened or endangered species critical habitats?”.

Yes: Schilling, Beltramini, Kaszubski, Lambert, Pallotta

No: Howrylak

Absent: Pryor

Suspend City Council Rules and Continue with Agenda

Resolution #2001-12-615

Moved by Pallotta

Seconded by Schilling

RESOLVED, That the City Council suspend the Rules of Procedure #19 and continue discussion on Agenda items to 11:30 PM.

Yes: All-6

Absent: Pryor

F-6 Voluntary Stormwater Permit Certificate of Coverage and Resolution in Support of Troy's Stormwater Pollution Prevention Initiative

Resolution #2001-12-616

Moved by Pallotta

Seconded by Schilling

WHEREAS, The City of Troy is a municipality located in the Rouge River and Clinton River Watersheds; and

WHEREAS, The City of Troy has a Certificate of Coverage under the Michigan Department of Environmental Quality's Voluntary General Stormwater Permit Program; and

WHEREAS, The City of Troy, which is situated in the Main 1 & 2 sub-watershed district of the Rouge, has actively participated with the other Main 1 & 2 sub-watershed communities in the development of a sub-watershed management plan, public education plans, and also sub-

watershed plans for the identification of illicit connections and elimination of illicit discharges, in addition to other pollution control measures; and

WHEREAS, The City of Troy is committed to the goals as set forth in the voluntary storm water permit, and will use its best efforts in reducing the pollution in both the Rouge River Watershed and the Clinton River Watershed;

NOW, THEREFORE, BE IT RESOLVED, The City of Troy supports the Stormwater Pollution Prevention Initiative for the Main 1 & 2 sub-watershed management plan.

Yes: All-6

Absent: Pryor

F-8 Bid Award – Highest Acceptable Commission Rate – Vending Machine Services

Resolution #2001-12-617

Moved by Pallotta

Seconded by Lambert

RESOLVED, That a contract with Vendtek, the highest acceptable bidder, to furnish Vending Machine Services for five years with five (5) one-year options to renew is hereby approved at a commission rate of 15% for coffee, snacks, candy, bottle and can beverages, ice cream will provide a 10% rate of return; money changes cost \$15.00 per month.

Yes: All-6

Absent: Pryor

F-9 Proposed Dates for a Joint Workshop with the Planning Commission

Resolution #2001-12-618

Moved by Pallotta

Seconded by Beltramini

RESOLVED, That a joint workshop with City Council, the Planning Commission and the City's planning consultant, Richard Carlisle be scheduled for Tuesday, March 5, 2002 at 7:30 PM.

Yes: All-6

Absent: Pryor

F-10 Proposed Agreement – Peacock Poultry

Resolution #2001-12-619

Move by Pallotta

Seconded by Schilling

RESOLVED, That Item F-10, Proposed Agreement – Peacock Poultry be moved to Regular City Council meeting scheduled for January 14, 2002

Yes: All-6

Absent: Pryor

F-11 Chapter 16 Composting Language

(a) Proposed Resolution Adopting Alternative Ordinance A

Resolution #2001-12-620

Moved by Beltramini

Seconded by Pallotta

RESOLVED, That an ordinance amendment to Chapter 16, Section 2.19 is hereby adopted. A copy of this ordinance shall be attached to the original Minutes of this meeting.

Yes: Schilling, Beltramini, Kaszubski, Pallotta

No: Howrylak, Lambert

Absent: Pryor

MOTION CARRIED

COUNCIL COMMENTS/REFERRALS

Resolution #2001-12-621

Moved by Lambert

Seconded by Schilling

RESOLVED, That City Management devise a plan for the placement of the motto “In God We Trust” on City-owned buildings in accordance with all relevant judicial decisions.

Yes: Howrylak, Lambert, Schilling

No: Beltramini, Kaszubski, Pallotta

Absent: Pryor

MOTION FAILED

Suspend City Council Rules and Continue with Agenda

Resolution #2001-12-622

Moved by Howrylak

Seconded by Lambert

RESOLVED, That the City Council suspend the Rules of Procedure #19 and continue discussion on Agenda items to 11:50 PM.

Yes: All-6

Absent: Pryor

VISITORS**REPORTS AND COMMUNICATIONS**

G-1 Proposed City of Troy Proclamations:

Resolution #2001-12-623

Moved by Howrylak

Seconded by Schilling

RESOLVED, That the following City of Troy Proclamations, be approved:

- (a) Service Commendation, Susan Blank
- (b) Service Commendation, Robert Skinner

Yes: All-6

Absent: Pryor

G-2 Minutes – Boards and Committees:

- (a) Historic District Commission/Final – September 18, 2001
- (b) Historic District Commission/Draft – October 16, 2001
- (c) Advisory Committee for Senior Citizens/Final - November 1, 2001
- (d) Police and Fire Commission (Act 78)/Final – November 6, 2001
- (e) Advisory Committee for Persons with Disabilities/Final - November 7, 2001
- (f) Building Code Board of Appeals/Final – November 7, 2001
- (g) Parks & Recreation Advisory Board/Draft – November 8, 2001
- (h) Board of Zoning Appeals/Draft – November 20, 2001
- (i) Charter Revision Committee/Final – November 20, 2001
- (j) Historic District Commission/Draft – November 20, 2001
- (k) Troy Daze Minutes/Draft – November 27, 2001
- (l) Traffic Committee/Draft – November 28, 2001
- (m) Charter Revision Committee/Draft – December 4, 2001
- (n) Building Code Board of Appeals/Draft – December 5, 2001

Noted and Filed

G-3 Department Reports:

- (a) Quarterly Development Report for December and Permits Issued During the Month of November 2001
 - (b) Monthly Financial Report – November 30, 2001
Noted and Filed
-

G-4 Announcement of Public Hearings:

- (a) Request for Commercial Vehicle Appeal – 649 Troywood – Scheduled for January 7, 2002
 - (b) Request for Commercial Vehicle Appeal – 2493 E. Maple – Scheduled for January 7, 2002
Noted and Filed
-

G-5 Proposed Proclamations/Resolutions from Other Organizations:

G-6 Letters of Appreciation:

- (a) Letter to Chief Craft from Jeanne M. Stine, Re: Sgt. David Livingston
 - (b) Letter to Police Department from Stephanie R., Re: Thanking Them for Their Service
 - (c) Letter to City Council from David Lindquist, Re: Health Insurance Premiums for Retirees
Noted and Filed
-

G-7 Calendar

Noted and Filed

G-8 Memorandum from City Manager John Szerlag, Re: Wal-Mart Donation to Parks and Recreation

Noted and Filed

G-9 Memorandum from City Manager John Szerlag, Re: Proposed Snow Emergency Ordinance

Noted and Filed

G-10 Vehicle Auction

Noted and Filed

G-11 Meadow Creek Subdivision–W. of Evanswood, N. of Square Lake–Section 1

Noted and Filed

G-12 Status of the City's Salt Supply

Noted and Filed

G-13 Appointment of Michele Hodges to the Downtown Development Authority

Noted and Filed

G-14 State Farm v. City of Troy (Essian Case)

Noted and Filed

G-15 Follow-up Information Requested by Council for Agenda Item F-5 from November 19, 2001 – Authorization to Hire Real Estate Consultant for Road Work on Long Lake Road – Carnaby Street to Dequindre Road

Noted and Filed

G-16 Joint Recommendation to Relocate Historic Methodist Church and Parsonage from its Current Site on Square Lake to the Village Green

Council Rules of Procedure #5 is suspended and Item G-16 is moved immediately following Item F-3.

G-17 City Council Boardroom Seating – Leather vs. Cloth

Noted and Filed

G-18 Elected Official Names on Municipal Building Dedication Plaques

Noted and Filed

G-19 Proposed Ballot Language – Pension

Noted and Filed

Resolution #2001-12-624

Moved by Howrylak

Seconded by Lambert

RESOLVED, That City Council directs the City Attorney to draft and finalize wording for a proposed Charter amendment that would preclude enactment of a pension for City Council; and

BE IT FURTHER RESOLVED, That the City Attorney shall finalize this language for the January 7, 2002 Regular City Council Meeting.

Yes: Lambert, Pallotta, Beltramini, Howrylak, Kaszubski

No: Schilling

Absent: Pryor

G-20 Officer Pete Pizzorni–Recipient of the U.S. Dept. of Justice Directors Award

Noted and Filed

G-21 Public Comment

Noted and Filed

The meeting adjourned at 11:43 P.M.

Matt Pryor, Mayor

Tonni L. Bartholomew, City Clerk

DATE: December 28, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for Commercial Vehicle Appeal
649 Troywood

On November 13, 2001, information was sent to the residence of Mr. Michael McKenna that identified restrictions related to the commercial vehicles located on residential property. As part of that information, he was advised that the Chevy cube van and Ford dump truck parked on that property did not comply with the exceptions found in Chapter 39, Section 40.66.00. He was given the option to remove the vehicles or appeal to City Council for relief of the Ordinance.

In response to our letter, Mr. McKenna has filed an appeal. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of January 7, 2002.

The existing house on this property is 1139 square feet. There is an existing detached garage on the site that is 503 square feet. Section 40.57.04 of the Troy Zoning Ordinance would allow an additional 97 square feet of accessory building on this site. The Ordinance would also allow a significant attached garage to be constructed. The size of the attached garage would only be limited by setbacks and a 30% lot coverage.

A copy of the application and photo are attached for your reference.

Should you have any questions or require additional information, kindly advise.

COMMERCIAL VEHICLE
APPEAL APPLICATION

RECEIVED

DEC - 6 2001

Request is hereby made for permission to keep a commercial vehicle(s) as described below on the following residential zoned site:

NAME: Michael McKenna

ADDRESS: 649 Troywood

CITY: Troy MI. ZIP: 48083 PHONE: 248 689-8714

ADDRESS OF SITE: " "

NUMBER OF VEHICLES: 2

VEHICLE IDENTIFICATION NUMBER(S) Dump 1HSHA TVN8 LH 697520

LICENSE PLATE NUMBER(S) not yet / Cube 2GB HG 31M 8F4166669
cube = 0305 HH

DESCRIPTION OF VEHICLE(S) CUBE VAN , 8yp. Dump Truck

REASON FOR APPEAL (see A - D below) B, C, D

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..

Michael McKenna

(signature of applicant)

STATE OF MICHIGAN

COUNTY OF OAKLAND

On this 4th day of December, 192001 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

Valerie Wilson Macomb
Notary Public, County, Michigan

VALERIE WILSON
Notary Public, Macomb County, MI
Acting in OAKLAND Co., MI
My Commission Expires 11/09/2005

My Commission Expires: 11.09.05





RECEIVED

DEC 27 2001

TO: CITY COUNCIL

BUILDING
DEPARTMENT

Please register my approval ☐ objection ☒ to the request described on the reverse side.

My reason for this approval ☐ objection ☒ is:

If there was an enclosed
garage on the property & the
vehicles were out of sight I wouldn't
have a problem with this.

But, I don't want to have to
look at them as I'm sure their
neighbors don't.

Also, please keep my name & address
confidential. Thank you

NAME:

Karen Rusin

ADDRESS OR PROPERTY DESCRIPTION

529 Hidden Ridge

TO: CITY COUNCIL

Please register my **approval** ☒ **objection** ☐ to the request described on the reverse side.

My reason for this **approval** ☒ **objection** ☐ is:

We see no reason to object to our neighbors parking their commercial vehicles on their property. The vehicles are licensed and maintained, and parked far back from the road behind their home.

RECEIVED

JAN - 2 2002

BUILDING
DEPARTMENT

NAME:

ADDRESS OR PROPERTY DESCRIPTION

Catherine Meyer Jan T Meyer
1067 Traywood

DATE: December 28, 2001

TO: Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Mark Stimac, Director of Building and Zoning

SUBJECT: Public Hearing
Request for Commercial Vehicle Appeal
2493 E. Maple

On September 10, 2001, City Council, after public hearing, approved a variance for 90 days for Mr. Francisco Poblete at his property at 2493 E. Maple. The 90 days has now expired and Mr. Poblete has not made arrangements for alternate storage locations nor constructed a building on his site to store the vehicles. These vehicles include three dump trucks, one stake truck, a Bobcat, and a concrete power buggy and trailer.

Building Department staff contacted Mr. Poblete to remind him of the expiration of his variance. In response to that contact, Mr. Poblete has filed a new appeal application requesting relief of Section 40.66.00 of the Zoning Ordinance. The appeal requests that a public hearing date be held in accordance with the ordinance. A public hearing has been scheduled for your meeting of January 7, 2002.

Based upon the size of the existing house on the property (1260 square feet) and the size of the existing detached garage (660 square feet), the Zoning Ordinance does not permit any additional accessory buildings to be built on the site. The Zoning Ordinance would, however, permit a significant attached garage to be constructed on the site. The size of an attached garage would only be limited by the setbacks and a 30% maximum lot coverage.

A copy of the application and photo are attached for your reference.

Should you have any questions or require additional information, kindly advise.

**COMMERCIAL VEHICLE
APPEAL APPLICATION**

Request is hereby made for permission to keep a commercial vehicle(s) as described below, on the following residential zoned site:

NAME: FRANCISCO POBLETE

ADDRESS: 2493 E. MAPLE R.D.

CITY: TROY MI. ZIP: 48063 PHONE: 248-743-1220

ADDRESS OF SITE: SAME

NUMBER OF VEHICLES: 4

VEHICLE IDENTIFICATION NUMBER(S) _____

LICENSE PLATE NUMBER(S) 7733CP - 4488AM - ZD3350

DESCRIPTION OF VEHICLE(S) 1-STAKE TRUCK 3 DUMP TRUCKS

RECEIVED

DEC - 6 2001

BUILDING
DEPARTMENT

REASON FOR APPEAL (see A - D below)

I would really appreciate if you could give me more time to built my garage because right now I'm not working and I don't have the money to built it if you could give me until May I could start it

THE APPLICANT IS AWARE OF THE REQUIRED FINDINGS WHICH ARE STATED IN THE FOLLOWING:

44.02.01 ACTIONS TO GRANT APPEALS ... SHALL BE BASED UPON AT LEAST ONE OF THE FOLLOWING FINDINGS BY THE CITY COUNCIL:

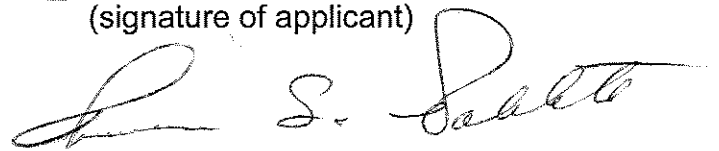
- A. The occurrence of the subject commercial vehicle on the residential site involved is compelled by parties other than the owner or occupant of the subject residential site (e.g. employer).
- B. Efforts by the applicant have determined there are no reasonable or feasible alternative locations for parking of the subject commercial vehicle.
- C. A garage or accessory building on the subject site cannot accommodate, or cannot reasonably be constructed or modified to accommodate the subject commercial vehicle
- D. The location available on the residential site for the outdoor parking of the subject commercial vehicle is adequate to provide for such parking in a manner that will not negatively impact adjacent residential properties, and will not negatively impact pedestrian and vehicular movement along the frontage street(s).

COMMERCIAL VEHICLE APPEAL APPLICATION

40.02.2. The City Council may grant appeals in relation to the type, character or number of commercial vehicles to be parked outdoors in Residential Districts for an initial period not to exceed two (2) years, and may thereafter extend such actions for a similar period.

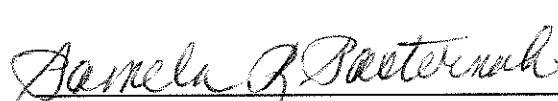
Supporting data, attached to the application, shall include: a plot plan, drawn to scale, a description and location of the vehicle(s) and a photo of the vehicle on-site..


(signature of applicant)



STATE OF MICHIGAN
COUNTY OF OAKLAND

On this 6th day of December, 192001 before me personally appeared the above named person who depose and sayeth that he/she signed this application with full knowledge of its contents and that all matters stated therein are true.

 Macomb
Notary Public, County, Michigan acting in Oakland
My Commission Expires: 09-01-03



city walk







MORTGAGE SURVEY

Applicant: RODNEY LUMING

Property Description:

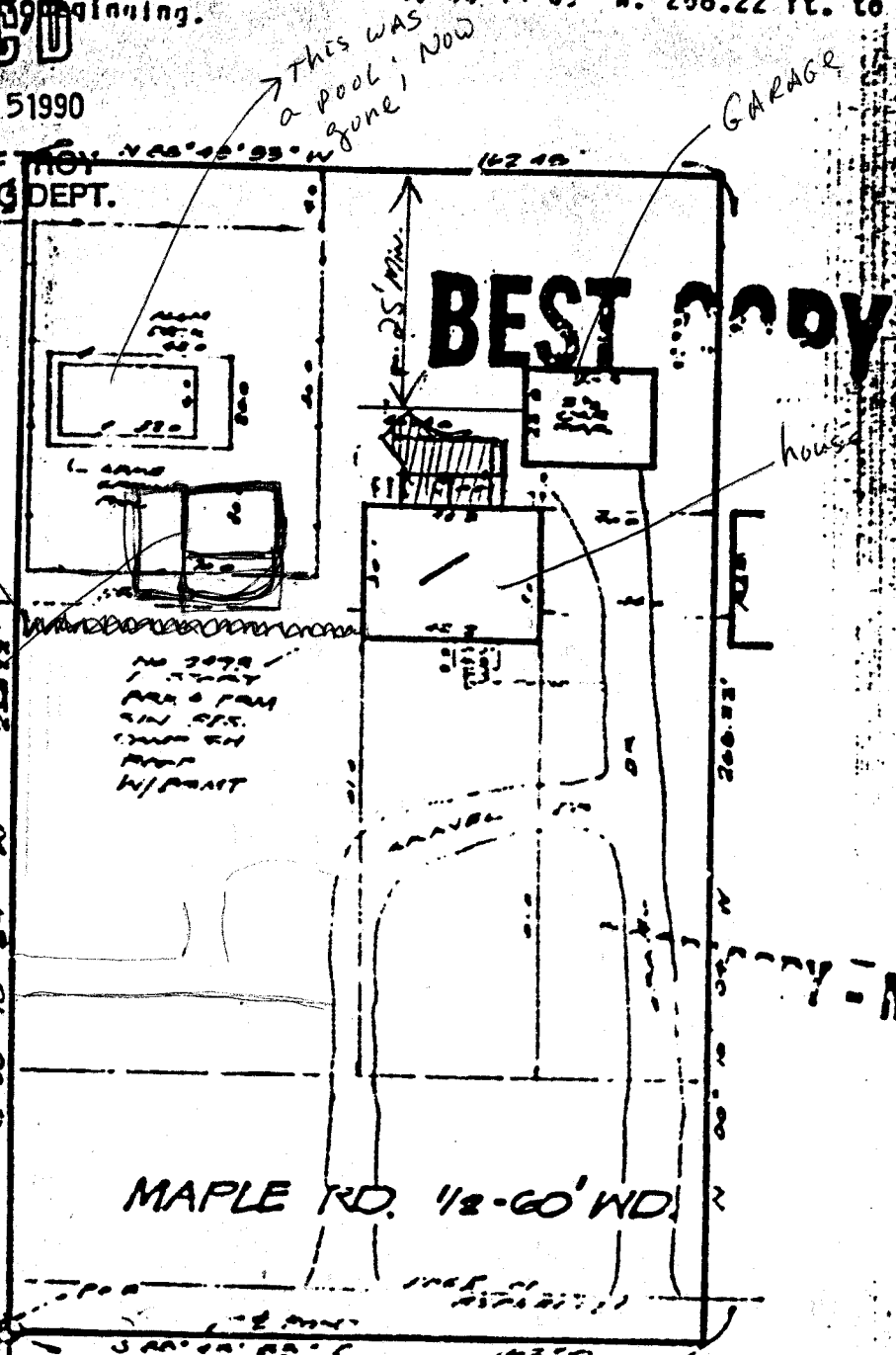
A parcel of land located in the City of Troy, Oakland County, Michigan, being more particularly described as: Part of Section 25, T.2 N., R.11 E., beginning at the S. 1/4 corner, thence S. 88°43'53" E. 162.50 ft. thence N. 00°10'04" W. 258.22 ft., thence N. 88°43'53" W. 162.45 ft. thence S. 00°10'03" W. 258.22 ft. to the point of beginning.

REC'D

SEP 05 1990

CITY OF TROY
BUILDING DEPT.

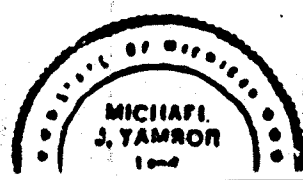
TRUCKS ARE PARKED
ON THIS AREA



MAPLE RD. 1/2-60' W.D.

3/4 SECTION
SECTION 25
T.2 N. R.11 E.

I HEREBY CERTIFY that we have made a mortgage survey of the property herein described and that the buildings and improvements are located as shown and that there are no visible encroachments upon said property unless noted and shown hereon.



RECEIVED

DEC 26 2001

TO: CITY COUNCIL

BUILDING
DEPARTMENT

Please register my approval ☒ objection ☐ to the request described on the reverse side.

My reason for this approval ☒ objection ☐ is:

I have no problem in
Mr. Poblete parking his
trucks next door to me.

NAME:

Alfred Ostrowski

ADDRESS OR PROPERTY DESCRIPTION

2475 E. Maple

TO: CITY COUNCIL

Please register my approval ☐ objection ☒ to the request described on the reverse side.

My reason for this approval ☐ objection ☒ is:

The equipment is unsightly and inappropriate for a residential neighborhood and should be removed immediately. In addition, sidewalks are used for walkers, joggers, and bikers frequently and the equipment is dangerous and unsightly to these individuals and any children who may be in the area.

RECEIVED

JAN - 2 2002

BUILDING
DEPARTMENT

NAME: Ansemarie Lesters Proctor

ADDRESS OR PROPERTY DESCRIPTION 1687 Hillman Drive

December 19, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Jeanette Bennett, Purchasing Director
Charles T. Craft, Chief of Police

Subject: Standard Purchasing Resolution 5 – Approval Of Funding
Common Ground

RECOMMENDATION:

The Police Department recommends continuing to fund **COMMON GROUND** in the amount of \$2,100.00 for their community service programs, such as counseling, prevention awareness, and training to help people cope with crisis.

BACKGROUND:

The programs provided by Common Ground include the Oakland County Crisis Response Team, Victim's Assistance Program, Community Education and Training Programs, and a Legal Clinic.

A funding agreement was previously approved by the City Council on August 31, 1998, with resolution #98-393-C-6 and on February 5, 2001, with resolution #2001-02-076-E-4.

BUDGET:

The Police Administration Contractual Services – Common Ground account #305.7802.107 has been designated for the funding of this program.

RECEIVED

December 12, 2001

DEC 17 2001

CITY OF TROY
CITY MANAGER'S OFFICE

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Steven A. Pallotta, Director of Building Operations

Subject: Standard Purchasing Resolution 1: Award To Low Bidder –
Library Roof Replacement

RECOMMENDATION

The Building Operations Department recommends City Council award a contract to replace the roof at the Troy Public Library to the low bidder, Lutz Roofing Co, Inc., at an estimated total cost of \$431,594.00, contingent upon submission of proper proposal and bid documents, including insurance certificates, bonds, and all specified requirements.

In addition, we are requesting authorization to add or delete work within budget limitations, due to unforeseen circumstances at unit prices contained in the attached bid tabulation dated 12/5/01, not to exceed 10% of the original project cost.

SUMMARY

Bids for the contract were opened December 5, 2001, with four companies responding. The project requires the contractor to furnish all labor, materials, and equipment to remove and replace the roof system at the Troy Public Library.

Due to the disadvantages listed in Appendix 1 for the rubber roof versus the advantages listed for the built-up roof membrane system, staff recommends the 3-Ply Cold Process Built-Up Roof, even though the cost is estimated to be higher. All new roofing was specified with a twenty (20) year warranty on material and labor, and a two (2) year written contractor guarantee, which commences from the date of acceptance of the roof, by the designated City representative.

BUDGET

Funds are available in the Library General Repairs Capital Account #401790.7975.900.

33 Bids Sent
7 Bids Rec'd
3 No Bids

Prepared by: Steven Pallotta, Director of Building Operations

E-3

EVALUATION OF ROOFING TYPES

There are numerous material manufacturers and roofing systems on the market today. Most manufacturers produce one or two roofing systems or components. Their recommendations must then be aimed at convincing the buyer that one of the systems they manufacture will best meet the buyer's needs. It can become a very confusing experience when attempting to evaluate the different manufacturers and membranes and to decide what is best to use at a particular facility.

The information provided to you in this letter was taken from "Roofing Materials Guide", published by the National Roofing Contractors' Association which compares over 500 membranes, 300 insulation board products, and 140 manufacturers' warranties.

TYPE OF ROOFING SYSTEMS:1. SINGLE-PLY MEMBRANE (Rubber Roof):

The following is a list consisting of the types of Rubber Roof available and includes:

- PVC (polyvinyl chloride)
- EPDM (ethylene propylenediene monomer)
- Neoprene (polycholoprene)
- CSPE (hypalon)
- CPE (chlorinated polyethylene)

BENEFITS	DISADVANTAGES
1. Easier leak finding	1. Provides single layer waterproofing
2. Quick to install	2. Punctures easily; interstitial condensation
3. No Hot kettles	3. Material disposal concerns; some landfills are requiring shredding for acceptance; cost of this is enormous
4. Good Elongation	4. Product life not extendible
5. Low Odor	5. Oil degrades most products
	6. 12 year average life
	7. Applicator sensitive seaming is critical
	8. Poor wind ratings
	9. Very hard to repair with age
	10. When ballasted is used (rock or gravel), difficult to find leaks
	11. Not to be used where roof slope is less than ½ " per foot
	12. Provides thin membrane, lack of puncture resistance, lack of redundancy
	13. Limited foot traffic on roof for roof top equipment servicing

2. **BUILT-UP ROOF MEMBRANE:**

The following is a list of BUILT-UP Roof types:

- Hot Applied
- Cold Applied (Recommended by Staff)

BENEFITS	DISADVANTAGES
<ol style="list-style-type: none"> 1. Most redundant system 2. Standard repair procedures 3. Life cycle maintainable 4. High puncture resistance 5. High tensile strength 6. Very good life expectancy (20 years plus) 7. Excellent life cycle costs 8. Lower odor during construction 9. Not temperature sensitive 10. Less contractor sensitive 11. Easier applied on difficult access roofs 12. Class "A" fire rated 13. Better withstands physical abuse, and required foot traffic for roof top maintenance 14. System is maintainable with restoration procedures 	<ol style="list-style-type: none"> 1. Cost higher than single-ply 2. Tolerant of small applications errors 3. Contractor resistance

HISTORY OF EXISTING TROY PUBLIC LIBRARY ROOF

The following information is a brief history and type of roof construction at Library:

1. Roof material constructed is a two-ply BUILT-UP Roof with organic felt. It is installed over one layer of 1 inch perlite / fesco to a steel roof deck.
2. The age of the roof is 31 years old and it is showing a great deal of wear, blistering, exposed insulation, and deterioration.
3. Building maintenance in the past eight to ten years has spent a considerable amount of time performing reactively trying to keep the building water tight.

COST COMPARISON

1. SINGLE-PLY MEMBRANE FULLY ADHERE (Rubber Roof):

\$9.00 per square foot X 41,100 feet = \$369,000*

*The above estimated price was provided by two contractors and one manufacturers representative selected from the recent bidders list.

2. BUILT-UP ROOF MEMBRANE: (Cold Applied as Staff Recommends)

\$10.53 per square foot X 41,100 feet = \$431,594

Opening Date -- 12/05/01
Date Prepared -- 12/10/01

CITY OF TROY
BID TABULATION
PROVIDE A ROOF REPLACEMENT FOR TROY LIBRARY

SBP 01-35

VENDOR NAME:

		** LUTZ ROOFING	SCHREIBER	CORPORATE	WRIGHT-BROWN
		CO, INC	CORPORATION	ROOFING CO	ROOFING CO
		384240572	657243968	20146136	05648
CHECK #					
AMOUNT		\$ 21,580.00	\$ 23,550.00	\$ 30,000.00	\$ 28,950.00
DESCRIPTION		COMPLETE FOR THE SUM OF:	COMPLETE FOR THE SUM OF:	COMPLETE FOR THE SUM OF:	COMPLETE FOR THE SUM OF:
PROVIDE A ROOF REPLACEMENT FOR THE TROY CITY LIBRARY IN ACCORDANCE WITH SPECIFICATIONS ESTIMATED TOTAL:		\$ 431,594	\$ 470,850	\$ 559,480	\$ 579,000
BREAKDOWN		UNIT PRICES	UNIT PRICES	UNIT PRICES	UNIT PRICES
1. DECK REPLACEMENT (MENTAL)	SQ FT	\$ 4.00	\$ 4.75	\$ 5.00	\$ 5.00
	or SQ MT				
2. DECK REPAIR	SQ FT	\$ 2.50	\$ 2.50	\$ 2.50	\$ 2.50
	or SQ MT				
3. ADDITIONAL DRAINS	per DRAIN	\$ 1,200.00	\$ 1,250.00	\$ 1,750.00	\$ 3,000.00
4. WOOD BLOCKING REPLACEMENT	LIN FT	\$ 3.00	\$ 3.60	\$ 3.50	\$ 3.00
	or METER				
5. WOOD BLOCKING REPLACEMENT	BD FT	\$ 3.50	\$ 3.60	\$ 3.50	\$ 3.00
	or BD MT				
6. PAINT RUSTED METAL DECK WITH RUST PAINT	SQ FT	\$ 1.50	\$ 1.50	\$ 2.50	\$ 2.00
7. WOOD NAIL REPLACEMENT	2 X 4 LIN FT	\$ 3.00	\$ 3.10	\$ 3.50	\$ 3.00
	2 X 6 LIN FT	\$ 3.25	\$ 3.60	\$ 3.50	\$ 3.00
	2 x 8 LIN FT	\$ 3.50	\$ 4.10	\$ 4.00	\$ 3.00
8. INSTALL 1/2" WALKWAY PANELS	Per Pad	\$ 50.00	\$ 65.00	\$ 55.00	\$ 70.00
INSURANCE:	Can Meet	XX	XX	XX	XX
	Cannot Meet				
MANDATORY PRE-BID MEETING:	Y/N	YES	YES	YES	YES
TERMS:		NET 30	NET 30 DAYS	NET 30	NET30 DAYS
WARRANTY:		20 YRS	PER PLANS/SPECS	20 YRS	20 YRS
COMPLETION BY:	30-Apr-2002	4/30/02	4/30/02	4/30/02	4/30/02
EXCEPTIONS:		NO ASBESTOS	ASBESTOS	BLANK	WALKWAY AS
		TESTING IS	DISCLAIMER		NOTED IN
		INCLUDED			ADDENDUM #2
					ONLY


NO BIDS:

Milbrand Roofing Co
Boss Construction
Ruther Construction

** DENOTES LOW BIDDER

TEST:

Cecilia Brukwinski
Steve Pallotta
Linda Bockstanz


Jeanette Bennett
Purchasing Director

Mailing Name	Address Line 1	Address Line 2	City City	ST	Postal Code
AFFORDABLE ROOFING	4151 WEST JEFFERSON		ECORSE	MI	48229
ALL ROOFING COMPANY INC	28299 KEHRIG STREET		CHESTERFIELD	MI	48047-5248
ALLEN BROTHERS INC	2691 LEACH RD		ROCHESTER HILLS	MI	48309
BLONDO ROOFING COMPANY	23328 SHERWOOD		WARREN	MI	48091
AFFORDABLE ROOFING	4151 WEST JEFFERSON		ECORSE	MI	48229
C DAVIS ROOFING INC	6539 BURROUGHS		STERLING HEIGHTS	MI	48314
CEI ROOFING INC	P O BOX 200		HOWELL	MI	48844
DETROIT CORNICE & SLATE COMPANY	1315 ACADEMY		FERNDALE	MI	48220
DON SMELSER ROOFING INC	55 N ROSE		MT CLEMENS	MI	48043
FISHER ROOFING COMPANY	5471 SYLVIA		DEARBORN HEIGHTS	MI	48125
GORDON NORTH ROOFING	1870 OPDYKE		AUBURN HILLS	MI	48326
INGRAM BROTHERS ROOFING	443 E SQUARE LAKE ROAD		TROY	MI	48098
JKM ENTERPRISES	2971 BELLEVUE		DETROIT	MI	48207-3502
KNOX ROOFING	18540 JOHN R		DETROIT	MI	48203
LUTZ ROOFING COMPANY, INC	4721 22 MILE ROAD		UTICA	MI	48317
MICHIGAN ROOFING	3000 GAVEL	P O BOX 27908	DETROIT	MI	48227
NEWTON & CRANE ROOFING	353 NORTH CASS AVENUE		PONTIAC	MI	48342-1009
ROYAL ROOFING CO INC	2445 BROWN		ORION	MI	48359-1810
RUTHER CONSTRUCTION INC	3512 EASTBOURNE		TROY	MI	48083
SCHENA ROOFING	28299 KEHRIG DRIVE		CHESTERFIELD TWP	MI	48047-5248
SCHREIBER CORPORATION	P O BOX 38119	2239 FENKELL	DETROIT	MI	48238
SINGLE PLY INTERNATIONAL OF MI INC	30942-A INDUSTRIAL ROAD		LIVONIA	MI	48150
T F BECK COMPANY	2222 DEVONDALE		ROCHESTER HILLS	MI	48309
THE GARLAND CO INC	3800 E 91ST STREET		CLEVELAND	OH	44105
THE MILBRAND ROOFING COMPANY	21200 SCHOENHERR		WARREN	MI	48089
THERMAL-TEC/MI INC	13801 FRANCIS WAY		CEDAR SPRINGS	MI	49319
TREMCO	3216 SHADOWBROOK LANE		PINCKNEY	MI	48169

COMMODITY CODE: 910-66 -Roofing, Maint.
Repair, Install

SBP 01-35 Roofing of Library

Mailing Name	Address Line 1	Address Line 2	City City	ST	Postal Code
VALINES ROOFING COMPANY	13374 FARMINGTON ROAD	STE D	LIVONIA	MI	48150
ATTN DOUGLAS O FOX	W P HICKMAN SYSTEMS INC	16189 BELL CREEK COURT	LIVONIA	MI	48154
WRIGHT-BROWN ROOFING CO	11710 CLOVERDALE		DETROIT	MI	48204-1188



October 26, 2001

**Addendum 1
Library Roof
SBP 01-35**

500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

Area code (248)

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
24-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

To All Bidders:

Please be advised that on Friday, October 26, 2001, the Purchasing Director of the City of Troy authorized the following clarification to the Bid Proposal since the Mandatory Pre-bid meeting date was indicated as two different dates within the bid document. The correct date is **Wednesday, November 7, 2001 at 2:00 p.m.** The correction will supercede the original documents received, and this addendum should be attached to your bid proposal at the time of submission. The clarification will be considered an integral part of the original proposal document.

CHANGE FROM: Site Inspection, Page 3 of 5

SITE INSPECTION:

All bidders **are required** to examine the sites to determine the amount of work to be done in connection with the work specified by attending the Mandatory **Pre-bid Meeting scheduled for WEDNESDAY, OCTOBER 31, 2001, at 10:00 A.M.** at the City of Troy Public Library, 510 W. Big Beaver, Troy, MI 48084. An opportunity to visit the site will be available during the Pre-bid Meeting.

☐ Our company attended the Mandatory Pre-bid Meeting.

☐ Our company did not attend the Mandatory Pre-bid Meeting.

CHANGE TO: Site Inspection, Page 3 of 5

SITE INSPECTION:

All bidders **are required** to examine the sites to determine the amount of work to be done in connection with the work specified by attending the Mandatory **Pre-bid Meeting scheduled for WEDNESDAY, NOVEMBER 7, 2001, at 2:00 P.M.** at the City of Troy Public Library, 510 W. Big Beaver, Troy, MI 48084. An opportunity to visit the site will be available during the Pre-bid Meeting.

☐ Our company attended the Mandatory Pre-bid Meeting.

☐ Our company did not attend the Mandatory Pre-bid Meeting.

I, the undersigned Bidder, have read this addendum and have integrated the clarification into the bid proposal for the **Library Roof, SBP 01-35**. All other items in the original bid document remain the same. This addendum should be attached to the top of the **BID PROPOSAL PACKET** at the time of submission on or before **Friday, November 16, 2001**.

COMPANY: _____

NAME OF REPRESENTATIVE: _____(Print)

SIGNATURE OF
AUTHORIZED REPRESENTATIVE: _____

ADDRESS: _____

DATE: _____



500 West Big Beaver
Troy, Michigan 48084
Fax: (248) 524-0851
www.ci.troy.mi.us

November 7, 2001

Addendum 2
SBP 01-35
Roof Replacement – Troy Public Library

Area code (248)

To whom it may concern:

Assessing
524-3311

Bldg. Inspections
524-3344

Bldg. Maintenance
524-3368

City Clerk
524-3316

City Manager
524-3330

Community Affairs
524-1147

Engineering
524-3383

Finance
24-3411

Fire-Administration
524-3419

Human Resources
524-3339

Information Services
619-7279

Law
524-3320

Library
524-3545

Parks & Recreation
524-3484

Planning
524-3364

Police-Administration
524-3443

Public Works
524-3370

Purchasing
524-3338

Real Estate & Development
524-3498

Treasurer
524-3334

General Information
524-3300

Please be advised that on Wednesday, November 7, 2001, the Purchasing Director of the City of Troy authorized the following **changes and clarifications** to the specifications for SBP 01-35, Roof Replacement of the Troy Public Library located at 510 W. Big Beaver Rd., Troy, MI 48084. The **CHANGES AND CLARIFICATIONS** will be considered an integral part of the original proposal document.

CHANGE: Cover Page, Bid Proposal, Page 1 of 2

FROM:

Sealed proposals for a **ROOF REPLACEMENT FOR THE CITY OF TROY PUBLIC LIBRARY LOCATED AT 510 W. BIG BEAVER RD., TROY MI 48084** will be received by the City of Troy at the office of the City Clerk, 500 W. Big Beaver Road, Troy, MI 48084 until **FRIDAY, NOVEMBER 16, 2001**, at 2:00 PM, after which time they will be publicly opened and read in the Troy City Offices.

TO:

Sealed proposals for a **ROOF REPLACEMENT FOR THE CITY OF TROY PUBLIC LIBRARY LOCATED AT 510 W. BIG BEAVER RD., TROY MI 48084** will be received by the City of Troy at the office of the City Clerk, 500 W. Big Beaver Road, Troy, MI 48084 until **WEDNESDAY, DECEMBER 5, 2001**, at 2:00 PM, after which time they will be publicly opened and read in the Troy City Offices.

CHANGE: Technical Specification, Page 11 of 35, Section 1.10 WARRANTY / GUARANTEE

FROM:

A. All new roofing will carry the manufacturer's fifteen (15) year warranty on material and labor. The warranty shall not have a dollar limit or a declining value.

TO:

A. All new roofing will carry the manufacturer's twenty **(20) year warranty** on material and labor. The warranty shall not have a dollar limit or a declining value.

CHANGE: **Technical Specification, Page 11 of 35, Section 1.10 WARRANTY / GUARANTEE**

FROM:

- C. Upon project completion, Manufacturer acceptance, and once complete payment has been received by both Contractor and Manufacturer, Manufacturer shall deliver to Owner a fifteen (15) year manufacturer Roofing System Quality Assurance Warranty and Owner's Manual. Manufacturer will, during the second and fifth year of this warranty, inspect and provide a written Executive Summary at no charge to the Owner. Also, repair of all necessary problems to ensure the 15 year warranty will be completed at this time.

TO:

- C. Upon project completion, Manufacturer acceptance, and once complete payment has been received by both Contractor and Manufacturer, Manufacturer shall deliver to Owner a **twenty (20) year** manufacturer Roofing System Quality Assurance Warranty and Owner's Manual. Manufacturer will, during the second and fifth year of this warranty, inspect and provide a written Executive Summary at no charge to the Owner. Also, repair of all necessary problems to ensure the **twenty year** warranty will be completed at this time.

CLARIFICATION: General Information

1. **AWARD DATE:** The earliest date of award is Monday, December 17, 2001. Realistically, the award will be made the first meeting in January but either date cannot be guaranteed.
2. **FINDINGS OF CORE SAMPLES:** Core samples taken on 11/7/01 at 2:30 pm with no asbestos found
Roof Section 1: 1" perlite / fesco; 2" isocyanurate on steel deck
Roof Section 4: 2" fiberglass on coal tar pitch and steel decking
Roof Section 6: 1" perlite on steel decking
3. **WALKWAY PADS:** There are four (4) Sanyo roof top condenser units on the roof. The successful bidder shall install two (2) full sets of 3' x 5' walkway pads beneath each unit.
4. **WOOD BLOCKING:** The successful bidder shall replace all wood blocking for all conduits and gas lines.
5. **AREA 6 AND 7:** The City of Troy has taken three (3) quotations for the replacement of caulk in Areas 6 and 7. All caulking is to be replaced by the City selected subcontractor, Akins Construction Company. A copy of quote in the amount of \$8,540 is attached and this cost must be included in your company's base bid. As a result of this work, a warranty on the windows must be included in your company's proposal.
6. **COVER ROOF TOP UNITS:** The successful bidder shall be required to cover the three (3) new Lennox roof top units that are currently on the roof.

7. EAST SIDE OF BUILDING: After coping is removed, the successful bidder will reinstall new stainless steel eye-loops, fasteners, and provide watertight connection.
8. IN THE AREA WHERE THE ROOF TOP UNIT HAS BEEN REMOVED: The successful bidder shall remove curb, reinstall metal in the area, and re-roof the area.
9. PAINTING, ELASTICMETRIC AND MEMBRANE: The successful bidder shall paint all exhaust fans and exposed duct work with the highest quality outdoor silver paint available acceptable to the City of Troy, and install 3-course with elasticmetric and membrane on all exposed duct work.
10. AREA 6 – WINDOW DETAIL: The successful bidder shall trim metal beneath bend joint $\frac{1}{2}$ "; install new flashing with turnbar; slip up counter flashing and pop rivot.
11. AREA 7 – ROOF SADDLES: The successful bidder shall provide roof saddles for proper drainage.
12. METAL COPING: The successful bidder shall provide and install metal coping for all walls except Section 1 – screen wall, around HVAC equipment.

I, the undersigned Bidder, have read this addendum and have integrated the changes and clarifications into the specifications for SBP 01-35, Roof Replacement of the Troy Public Library located at 510 W. Big Beaver Rd., Troy, MI 48084. All other items in the original proposal document remain the same. Questions concerning the specifications will be addressed to Mr. Stephen Pallotta in writing by fax (248) 526-2656 or mail. All questions must be received seven (7) working days before the bid opening. Written questions received after this time will not be considered. This addendum should be attached to the top of the **PROPOSAL PACKET** at the time of submission on or before **Wednesday, December 5, 2001 at 2:00 p.m. in the Office of the City Clerk.**

COMPANY:

NAME OF REPRESENTATIVE:

(Print)

SIGNATURE OF REPRESENTATIVE:

ADDRESS:

DATE:

AKINS CONSTRUCTION, INC.

42315 YEAREGO

STERLING HEIGHTS, MI 48314

(810) 254-0992 • FAX (810) 254-2989

Please note our new area code: 586

PROPOSAL**3426**

TO City of Troy
500 W Big Beaver Rd
Troy, MI 48084

Attn: Steve Pallotta

PHONE

FAX 248 526 2656

DATE

11-08-01

JOB NAME / LOCATION

Troy Library Remedial Glass
Window Work

JOB NUMBER

JOB PHONE

We hereby submit specifications and estimates for:

We propose to furnish all labor, materials, equipment and the appropriate insurance's to perform the following work.

SCOPE OF WORK:

Below are the approximate quantities and a brief description of the work involved.

Work Description:

1. Cut out and remove existing sealant at the Head & Sill of the strip windows. Replace with neutral cure silicone sealant.

2. Cut and remove existing sealant at the butt joints at the strip windows using a neutral cure silicone sealant.

3. Cut out and remove existing sealants at the building expansion joints, using a neutral cure silicone sealant.

4. Place metal coping at the top of the precast/roof along entire perimeter.

5. Cut out and remove existing sealant at the top of the flashing where the brick wall transitions to the bottom of the strip windows. Replace with a neutral cure silicone sealant.

6. Caulk underside of the flashing described above sealing the flashing to the brick. Use a neutral cure silicone sealant.

PRICE:

\$3,200.00
(800ft)

\$2,240.00
(560ft)

\$ 450.00
(105ft)

By Others

\$1,650.00
(450ft)

\$1,000.00
(400ft)

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

**** Eight Thousand Five Hundred Forty and 00/100 ****

dollars (\$8540.00*).

Payment to be made as follows:

Net 30 days from billing

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Note: This proposal may be
withdrawn by us if not accepted within

60

days.

Acceptance of Proposal

— The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE

SIGNATURE

DATE OF ACCEPTANCE

Pm

810 254 2989 P. 02/02

AKINS CONSTRUCTION

NOV-08-2001 11:11

December 18, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

Subject: Standard Purchasing Resolution 3: Exercise Renewal Option -
Mosquito Control

RECOMMENDATION

On Monday, May 10, 1999, the City Council approved a three-year contract to provide mosquito control for various sites with Advanced Pest Management Co. Inc., which includes an option to renew for two additional one-year periods (Council Resolution #99-259-E-4a). The Parks Department recommends exercising the first of two one-year options to renew under the same terms and conditions, at 2001 prices for an estimated total cost of \$10,106.39, expiring December 31, 2002.

BACKGROUND

The mosquito control contract will service nine City parks, Sylvan Glen Golf Course, four retention basins, sixteen drainage ditches, and fifty-two catch basin sumps at the following prices—

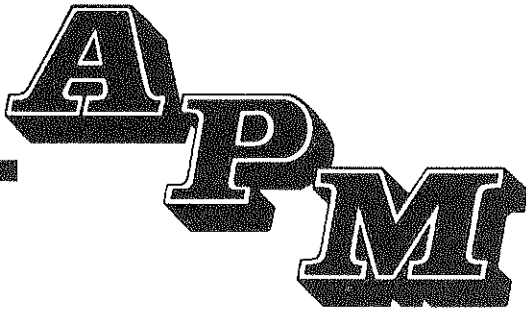
# of Acres	Description	Cost per Acre	Total Cost
320.1	Parks	\$11.25	\$3,601.13
140.0	Golf Course	\$12.43	\$1,740.20
11.15	Retention Basins	\$112.11	\$1,250.03
9.22	Drainage Ditches	\$358.68	\$3,307.03
52 Each	Catch Basin Sumps	\$ 4.00 ea	\$ 208.00
		Estimated Total:	\$10,106.39

MARKET SURVEY

A market survey is not deemed necessary, as the cost of operations to service this type of contract have not declined over the last three years; and the only other bidder, Rose Exterminator Company was 75% higher than the awarded vendor based on 2001 prices.

BUDGET

Funds are available from the Parks Maintenance Contractual Service Accounts.



ADVANCED PEST MANAGEMENT
Advanced Outdoor Spraying Company

November 30, 2001

Mr. Ron Hynd, Landscape Analyst
City of Troy Parks Maintenance
3179 Livernois
Troy, MI 48083-5029

Dear Ron,

This letter is an acceptance letter of extending The City of Troy Mosquito Control services through the 2002 season. The prices for the 2002 season will remain the same as 2001 prices. Please let us know if we should continue to use the same Order Number. Thank You for the Opportunity to Serve The City of Troy.

Sincerely,

A handwritten signature in cursive script that reads "Greg Seago".

Greg Seago

CONSENT AGENDA – CONTINUED

Bid Awards: (a) Mosquito Control; (b) Liquid Calcium Chloride; (c) Library Food Services; (d) Removal of HVAC Unit and Installation of New City Supplied HVAC Unit

E-4

(a) Mosquito Control

Resolution #99-259-E-4a

RESOLVED, that a three year contract for mosquito control is hereby awarded to the lowest acceptable bidder, Advanced Pest Management, at unit prices contained in the bid tabulation opened April 14, 1999, a copy of which shall be attached to the original minutes of this meeting contingent upon contractor submission of properly executed bid and contract documents, including bonds, insurance certificates and all other specified requirements at an estimated total cost of \$28,742.45.

December 20, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
William Need, Public Works Director

Subject: Standard Purchasing Resolution 4: Oakland County Cooperative Purchasing Agreement – Fleet Vehicles

RECOMMENDATION

The Fleet Maintenance Division of the Public Works Department requests approval and authorization to purchase eighteen (18) fleet vehicles through Oakland County Cooperative Purchasing Agreements at an estimated total cost of \$384,603.66.

The equipment will replace vehicles due to come out of service from the Police, Fire and Public Works Departments, and are as follows:

	<u>ITEM</u>	<u>BUDGET</u>	<u>UNIT COST</u>	<u>TOTAL</u>
<u>VOLLMAN FORD</u>				
5 Ford Crown Victory Patrol Cars 4-Door Sedan Solid Color	A-1	\$115,000.00	\$20,595.00	\$102,975.00
5 Ford Crown Victory Patrol Cars 4-Door Sedan Blue-White	A-1	115,000.00	21,230.00	106,150.00
<u>SHAHEEN CHEVROLET</u>				
1 Tahoe Special Service 4X4 (Police)	A-1	23,000.00	26,038.52	26,038.52
2 Tahoe Special Service 4X4 (Fire)	A-4	51,000.00	26,038.52	52,077.04
<u>SIGNATURE FORD, L-M JEEP EAGLE</u>				
1 Explorer XLT 4X4	A-3	25,500.00	25,072.00	25,072.00
<u>BUFF WHELAN CHEVROLET</u>				
2 Chevrolet Camaro Special Pursuit	A-1	46,000.00	21,051.21	42,102.42
1 Chevrolet 3500 Express Cargo Van	A-6	19,000.00	16,533.59	16,533.59
1 Chevrolet 2500 Express Cargo Van	A-6	<u>19,000.00</u>	13,655.09	<u>13,655.09</u>
TOTAL		\$413,500.00		\$384,603.66

If you have any questions regarding this recommendation, please feel free to call me at your convenience.

BUDGET

Funds are available from the Vehicle Motor Pool Capital Account 565.7981.

Prepared by: Samuel P. Lamerato, Superintendent of Motor Pool

December 20, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Approval to Pay Business Relocation Claim
Linda L. Frey
Proposed Fire Station #3 Expansion
2300 West Big Beaver Road, Suite #16

In compliance with Michigan Laws and Federal Guidelines, businesses displaced by a public project are entitled to Relocation Benefits that include payments for actual reasonable moving costs, actual reasonable expenses to reestablish the business, and payment for actual reasonable expenses to search for a replacement property. The laws provide that the owner may choose instead to receive an "in lieu of" or "fixed payment" based on income. A fixed payment is equal to the business's average annual net earnings for the two years prior to displacement with a maximum payment amount of \$20,000.

Attached is a copy of a "Relocation Claim" for a fixed payment based on income filed by Linda L. Frey, the owner of one of the businesses that is being displaced from 2300 West Big Beaver Road. We have verified the average net earnings for the years 1999 and 2000 are \$17,981. Ms. Frey hopes to move her business to another location in Troy.

Therefore, the Real Estate & Development Department requests approval to pay the attached claim in the amount of \$17,981 to Linda L. Frey. This payment will be made in lieu of payment for moving and other related relocation benefits. The funds will come from Bond Proposal B monies.

Att.

RELOCATION CLAIM

BUSINESS/NON-PROFIT/FARM

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

City of Troy
MDOT AG77 (12/95)

CLAIMANT'S NAME: LINDA L. FREY

MAILING ADDRESS: 2300 W. BIG BEAVER RD, SUITE 16, TROY, MI 48084

ACQUIRED PROPERTY ADDRESS AND PHONE: 2300 W. BIG BEAVER RD, SUITE 16, TROY, MI 48084
948-649-1060

REPLACEMENT PROPERTY ADDRESS AND PHONE: UNKNOWN AT THIS TIME

Date of first written offer:

Date of final payment:

Date of move:

Date move verified:

Claim must be filed by 18 months after date of move or final payment, whichever is later.

Date:

Listed below are relocation payments claimed in accordance with Act 31, P.A. 1970 as amended. For further information please refer to the booklet "Your Rights and Benefits When Displaced by a City or County Project."

☐ Owner ☒ Tenant

☒ Business ☐ Farm ☐ Non-profit ☐ Landlord

Moving Expenses

Reestablishment Expenses

Fixed Payment ("in Lieu Of")

\$17,981

AMOUNT DUE: \$17,981

I/We agree payment will be sent to:

LINDA L. FREY

I/We Certify that:

1. All information submitted is true and correct.
2. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
3. I/We have vacated or will vacate the state acquired property.
4. I/We am/are a legal resident of the United States

Claimant's Signature

Date

Claimant's Signature

Date

I Certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the City of Troy.

RECOMMENDED BY:

Patricia A. Pettito

DATE:

12/20/01

APPROVED BY:

DATE:

Remarks:

CONTROL SECTION

PARCEL

NAME

JOB NUMBER

FED ITEM NUMBER

FED PROJ NUMBER

December 18, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Approval to Pay Business Relocation Claim
Vital International Programs, Inc.
Proposed Fire Station #3 Expansion
2300 West Big Beaver Road, Suite #15 & #17

In compliance with Michigan Laws and Federal Guidelines, businesses displaced by a public project are entitled to Relocation Benefits that include payments for actual reasonable moving costs, actual reasonable expenses to reestablish the business, and payment for actual reasonable expenses to search for a replacement property. The laws provide that the owner may choose instead to receive an "in lieu of" or "fixed payment" based on income. A fixed payment is equal to the business's average annual net earnings for the two years prior to displacement with a maximum payment amount of \$20,000.

Attached is a copy of a "Relocation Claim" for a fixed payment based on income filed by Maria A. Bruns, the owner of one of the businesses that is being displaced from 2300 West Big Beaver Road. We have verified that the average net earnings for the years 1999 and 2000 exceeded \$20,000. Ms. Bruns plans to move her business to another office in the Troy area.

Therefore, the Real Estate & Development Department requests approval to pay the attached claim in the amount of \$20,000 (the maximum allowed) to Vital International Programs, Inc. This payment will be made in lieu of payment for moving and other related relocation benefits. The funds will come from Bond Proposal B monies.

Att.

RELOCATION CLAIM BUSINESS/NON-PROFIT/FARM

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

City of Troy
MDOT A677 (12/95)

CLAIMANT'S NAME: MARIA A. BRUNS

MAILING ADDRESS: 2378 NORFOLK DR., APT. #102 ROCHESTER HILLS, MI 48309

ACQUIRED PROPERTY VITAL INTERNATIONAL PROGRAMS
ADDRESS AND 2300 W. BIG BEAVER RD., STE 17
PHONE: TROY, MI. 48064

REPLACEMENT PROPERTY
ADDRESS AND
PHONE:

CONTROLLING DATES

Date of first written offer:

Date of final payment:

Date of move:

Date move verified:

Claim must be filed by 18 months after date of move or final payment, whichever is later.

Date:

Listed below are relocation payments claimed in accordance with Act 31, P.A. 1970 as amended. For further information, please refer to the booklet "Your Rights and Benefits When Displaced by a City of Troy Project".

☐ Owner

☒ Tenant

☐ Business

☐ Farm

☐ Non-profit

☐ Landlord

Moving Expenses

- 0 -

Reestablishment Expenses

- 0 -

Fixed Payment ("In Lieu Of")

\$20,000.00

AMOUNT DUE: \$20,000.00

I/We agree payment will be sent to:

I/We Certify that:

1. All information submitted is true and correct.
2. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
3. I/We have vacated or will vacate the state acquired property.
4. I/We am/are a legal resident of the United States


Claimant's Signature

Date

12/12/01

Claimant's Signature

Date

I Certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the City of Troy.

RECOMMENDED BY:

Patricia A. Pettit

DATE: 12-18-01

APPROVED BY:

DATE:

Remarks:

CONTROL SECTION

PARCEL

Suites #15 & #17

NAME VITAL INTERNATIONAL PROGRAMS, INC.

JOB NUMBER

FED ITEM NUMBER

FED PROJ NUMBER

December 21, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Douglas J. Smith, Real Estate & Development Director
Patricia A. Petitto, Senior Right of Way Representative

SUBJECT: Request for Approval to Pay Business Relocation Claim
Raymond G. Mercier, M.D., P.C.
Proposed Fire Station #3 Expansion
2300 West Big Beaver Road, Suite #4

In compliance with Michigan Laws and Federal Guidelines, businesses displaced by a public project are entitled to Relocation Benefits that include payments for actual reasonable moving costs, actual reasonable expenses to reestablish the business, and payment for actual reasonable expenses to search for a replacement property. The laws provide that the owner may choose instead to receive an "in lieu of" or "fixed payment" based on income. A fixed payment is equal to the business's average annual net earnings for the two years prior to displacement with a maximum payment amount of \$20,000.

Attached is a copy of a "Relocation Claim" for a fixed payment based on income filed by Raymond G. Mercier, the owner of one of the businesses that is being displaced from 2300 West Big Beaver Road. We have verified the average net earnings for the years 1999 and 2000 exceeded \$20,000. Doctor Mercier hopes to move his business to another location in Troy.

Therefore, the Real Estate & Development Department requests approval to pay the attached claim in the amount of \$20,000 to Raymond G. Mercier, M.D., P.C.. This payment will be made in lieu of payment for moving and other related relocation benefits. The funds will come from Bond Proposal B monies.

Att.

RELOCATION CLAIM

BUSINESS/NON-PROFIT/FARM

Information required by Act 31, P.A. 1970 as amended, and Act 277
P.A. of 1972, to process payment.

City of Troy
MDOT A677 (12/95)

CLAIMANT'S NAME: RAYMOND G. MERCIER
MAILING ADDRESS: 2177 HIDDEN FOREST TROY MI 48098
ACQUIRED PROPERTY ADDRESS AND PHONE: 2300 W. Big Beaver Suite 4 TROY 48084
REPLACEMENT PROPERTY ADDRESS AND PHONE: _____

CONTROLLING DATES

Date of first written offer: _____

Date of final payment: _____

Date of move: _____

Date move verified: _____

Claim must be filed by 18 months after date of move or final payment, whichever is later.

Date: _____

Listed below are relocation payments claimed in accordance with Act 31, PA 1970 as amended. For further information, please refer to the booklet "Your Rights and Benefits When Displaced by a City of Troy Project".

☐ Owner

☒ Tenant

☒ Business

☐ Farm

☐ Non-profit

☐ Landlord

Moving Expenses _____

Reestablishment Expenses _____

Fixed Payment ("In Lieu Of") _____

20,000.00

AMOUNT DUE: \$ 20,000.00

I/We agree payment will be sent to : _____

I/We Certify that:

1. All information submitted is true and correct.
2. I/We have not submitted any other claim, or received reimbursement from any other source, for expenses itemized on this claim.
3. I/We have vacated or will vacate the state acquired property.
4. I/We am/are a legal resident of the United States

Claimant's Signature _____

Date _____

Claimant's Signature Ray G. Mercier

Date 12/25/01

I Certify that I have examined this claim and the substantiating documentation and have found it to conform to the applicable State and Federal Laws and the operating procedures of the City of Troy.

RECOMMENDED BY: Patricia A. Pettit

DATE: 12-21-01

APPROVED BY: _____

DATE: _____

Remarks: _____

CONTROL SECTION

PARCEL

SUITE #4

NAME RAYMOND G. MERCIER, M.D., P.C.

JOB NUMBER

FED ITEM NUMBER

FED PROJ NUMBER

**E-7 Authorization for Mayor to Attend the 70th Winter Meeting of the
United States Conference of Mayors**

There is no backup material presented for this item.

December 17, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Steven Vandette, City Engineer

SUBJECT: Preliminary Engineering Services for
Wattles Road, 1,000' East & West of Rochester Road
Project No. 01.106.5

BACKGROUND INFORMATION

The Engineering Department advertised for technical proposals for Preliminary Engineering Services for the reconstruction and widening of Wattles Road, 1,000' east and west of Rochester Road. Proposals were received from the following five (5) consultants:

1. Fazal Khan Associates, 42815 Garfield, #204, Clinton Twp., MI
2. Finkbeiner, Pettis & Strout, Inc., 41441 Eleven Mile, Novi, MI
3. Hubbell, Roth & Clark, Inc., 555 Hulet, Bloomfield Hills, MI
4. Midwestern Consulting, 3815 Plaza Dr., Ann Arbor, MI
5. Nowak & Fraus, 46777 Woodward, Pontiac, MI

In accordance with the MDOT Consultant Selection process (Exhibit 1), a two person review committee consisting of Steve Vandette, City Engineer and Bill Huotari, Deputy City Engineer rated the consultants based on each firm's understanding of the project, past experience with similar projects and other items as listed on the review sheet (Exhibit 2). Based on the rating results, Hubbell, Roth and Clark, Inc. received the highest score. Total final scores for all consultants are presented in Exhibit 3. HRC was asked to submit a priced proposal based on guidelines prepared by the Engineering Department.

PROPOSAL INFORMATION

Preliminary Engineering Services for Wattles Road were estimated by the Engineering Department at \$127,050 or 5% of the estimated \$2,541,000.00 construction cost. The fee for Preliminary Engineering submitted by HRC is \$97,177.65, or 3.8% of the estimated construction cost. Sub-consultant work by Mansell and Associates (traffic signals) and Testing Engineers & Consultants (testing and soil borings) are \$6,417.00 and \$5,846.33, respectively. The total not-to-exceed preliminary engineering amount submitted is \$109,440.98 or 4.3%. A detailed breakdown of costs is included in the attached copy of the HRC priced proposal (Exhibit 4).

The following table details the cost for Preliminary Engineering if it were submitted under the General Engineering Services Contract as compared to the actual cost submitted based on the priced proposal. Hubbell, Roth & Clark, Inc. is currently under a separate City contract to provide General Engineering Services (Resolution No. 2001-05-259-E-7; May 21, 2001).

Item	General Engineering Services	Priced Proposal	Difference
Direct Labor	\$134,469.72	\$38,237.16	+96,232.56
Overhead, Fixed Fee & FCC	\$0.00	\$70,532.82	(\$70,532.82)
Direct Expenses	\$0.00	\$671.00	(\$671.00)
TOTALS	\$134,469.72	\$109,440.98	(\$25,028.74)

The General Engineering Services Agreement, for the Design Phase, is based on a percentage of the final construction cost, according to the schedules, as defined in Payments for Engineering Services, Part B of Exhibit 5. For a project in between \$1,000,000 and \$3,000,000 and a Class 2 type project, the estimated fee is 5.292%. Sub-consultant fees are not a part of the General Engineering Services agreement and are direct costs to the City as required by the project.

RECOMMENDATION:

Staff recommends awarding the Preliminary Engineering services for the reconstruction and widening of Wattles Road, 1,000' east and west of Rochester Road to HRC and authorizing the Mayor and Clerk to execute the Preliminary Engineering Agreement with HRC for a not to exceed fee of \$109,440.98.

Staff further recommends that City Council approve the attached contract with the Michigan Department of Transportation for preliminary engineering for the reconstruction and widening of Wattles Road, 1,000' East and West of Rochester Road and that the Mayor and City Clerk are authorized to execute the agreement. The agreement, as submitted, is based on estimated costs as is standard with all MDOT agreements in that they are prepared when the funding for the project is obligated. The City will base reimbursements by MDOT and payment to HRC, under the respective agreement, on the actual incurred cost.

The consultant selection process used by the City along with the Preliminary Engineering Agreements will be reviewed and approved by the MDOT prior to final execution of the agreement for the Wattles Road, 1,000 east and west of Rochester Road.

BUDGET

Funds are available for preliminary engineering in the 2001-02 Major Road Capital budget, account number 401479.7989.011065. The estimated City of Troy contribution for the preliminary engineering phase is \$45,440. Along with the City capital funds are Federal funds in the amount of \$64,000.

JOSEPH K. KNOLLENBERG
11TH DISTRICT, MICHIGAN

2349 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
202-225-5802

DISTRICT OFFICES:
30833 NORTHWESTERN HIGHWAY
SUITE 100
FARMINGTON HILLS, MI 48334
248-851-1366

15439 MIDDLEBELT
LIVONIA, MI 48154
734-425-7557

Congress of the United States
House of Representatives
Washington, DC 20515-2211

November 15, 2001

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:
DISTRICT OF COLUMBIA, CHAIRMAN
VA, HUD AND INDEPENDENT AGENCIES
FOREIGN OPERATIONS, EXPORT FINANCING
AND RELATED PROGRAMS

PAUL F. WELDAY
CHIEF OF STAFF

Rep.Knollenberg@mail.house.gov
www.house.gov/knollenberg

Mr. Steven Vandette
Troy City Engineer
500 W. Big Beaver Rd.
Troy, MI 48084

Dear Mr. Vandette:

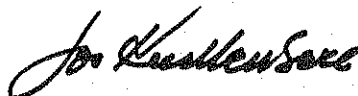
I am writing regarding your request that cost be included as one of the evaluation criteria for consultant selection on federally funded road projects. I apologize for the delay in responding to your request. As a result of the September 11th attacks many requests that my office was investigating were either put on hold or were unable to be completed as a result of the shut down in many government agencies, as well as Congressional Offices, due to the anthrax related letters.

However, after recently conferring with the Department of Transportation and the Federal Highway Administration I was informed that in order to add cost as an evaluation criterion to the consultant selection process, there would need to be a change in the Brooks Act. As you may be aware, there are no waiver or exemption provisions currently in the Brooks Act as amended. But as you know, a qualification based selection process where cost is not a factor only applies to the selection of consultants and not contracting companies who actually do the road projects.

Rest assured that I will continue work to find an appropriate legislative vehicle to make the appropriate changes in the Brooks Act so that cities and municipalities are able to consider the financial costs associated with selecting consultants for impending road projects.

If you have any further questions or concerns regarding this or any other issue, please do not hesitate to contact my staff or I at the addresses listed above.

Sincerely,



Joe Knollenberg
Member of Congress

Cc: Mayor Matt Pryor

RECEIVED BY

NOV 19 2001

ENGINEERING

EXHIBIT 1

Consultant Selection Process

If an agency would like to use the services of a consultant, and federal funds will reimburse the costs incurred, a proper consultant selection process is required according to federal regulations. If an agency would like to use the services of a consultant, and state funds will reimburse the costs incurred, a proper consultant selection process is recommended according to MDOT policy. The Brooks Act requires that work performed by an engineering or architectural company will be selected using a qualifications-based procedure. Selecting a consultant based solely on the bid price is not acceptable.

The documentation that the local agency must submit to the Local Agency Programs Section is as follows:

- ▶ Letter stating that the agency does not have the resources to perform the necessary work.
- ▶ Copy of the advertisement of the project for interested consultants.
- ▶ Listing of firms that show interest.
- ▶ Consultant selection criteria for submission of detailed bids (**the criteria may not include price as a factor or exclude non-local consultants**).
- ▶ Copy of the request for proposal (RFP), which includes pertinent dates, project description, location map, and the MDOT "boiler plate" agreement.
- ▶ Basis for final selection (**the justification may not include price as a factor**).
- ▶ Copy of the evaluation form that will be used to rate the consultant's performance upon completion of the contract.

Deviation from the outlined procedure is prohibited and may result in non participatory consultant costs. For questions regarding this information, please contact the staff engineer in your area.

Sample Criteria

Price cannot be a factor

- ▶ Qualifications and experience of personnel, especially key project personnel with similar federally funded work.
 - ▶ Familiarity with federal, state and local policies and regulations associated with projects advertised, let and awarded through MDOT.
 - ▶ Proximity to the project site or your agency's offices.
 - ▶ Understanding of the project.
 - ▶ Availability of the firm to provide the services within the established time frame (can include past evidence that the consultant completes engineering service contracts on time and within the financial terms of the agreement).
 - ▶ Professional integrity and competence.
-

SAMPLE EVALUATION

The selection process includes evaluation of the information provided by the prime consultant and sub-consultants, plus existing post-evaluations on the prime and sub-consultants (if available). This sample evaluation is based on the criteria described above and scored using the following relative weights:

CRITERIA	NUMBER OF POINTS
Experience and Qualification:	
Prime Firm	15
Sub-Consultants	5
Project Manager	10
Staff	10
Quality Assurance	15
Capacity	5
Past Performance	15
Understanding	10
Location	15
Maximum Total Points =	100 points

EXHIBIT 2

TECHNICAL UN-PRICED PROPOSAL REVIEW WATTLES, 1,000' EAST & WEST OF ROCHESTER

Firm: _____

Item No.	Task	Grade	Weight	Total	Comments
1.	Experience & Qualifications				
	a. Road Experience		4		
	b. Project Manager		4		
	c. Lead Road Engineer		4		
	d. Lead Utility Engineer		2		
	e. Lead Surveyor		1		
	f. Other Staff		2		
	g. Past Performance of Firm		3		
2.	Technical Approach				
	a. Understanding of Project Requirements		2		
	b. Work Plan		6		
	c. Distribution of Work		2		
	d. Schedule		2		
	Firm Total				

Grade on a scale of 1-5 with 1 representing the lowest and 5 representing the highest.

General Comments:

Reviewer _____

Date _____

EXHIBIT 3

**PRELIMINARY ENGINEERING SERVICES FINAL REVIEW
WATTLES ROAD, 1,000' EAST & WEST OF ROCHESTER ROAD
PROJECT No. 01.106.5**

The table below lists the total scores as determined by the review committee. Based on these final review scores, Hubbell, Roth & Clark, Inc. is the highest rated consultant.

Firm	Totals
Hubbell, Roth & Clark	313
Finkbeiner, Pettis & Strout	303
Midwestern Consulting	243
Fazal Khan Associates	204
Nowak & Fraus	199.5

PRINCIPALS
Gerald F. Krapp
Thomas E. Biehl
Walter H. Alix
George E. Hubbell
Peter T. Roth
Michael D. Waring
Keith D. McCormack
Curt A. Christeson

CHIEF FINANCIAL OFFICER
J. Bruce McFarland



HUBBELL, ROTH & CLARK, INC.
CONSULTING ENGINEERS

EXHIBIT 4

Gary J. Tressel
Lawrence R. Ancypa
Kenneth A. Melchior
Dennis M. Monsere
Randal L. Ford
Timothy H. Sullivan
Thomas G. Maxwell
Nancy M.D. Faught
Jonathan E. Booth
Michael C. MacDonald
Marvin A. Olene
David P. Wilcox

November 12, 2001

City of Troy
500 West Big Beaver
Troy, Michigan 48084

Attention: Steven J. Vandette, P.E., City Engineer

Re: Price Proposal for Wattles Road Reconstruction Project
Design Engineering Services

HRC Job No. 20010397.00

Dear Mr. Vandette:

Thank you for your consideration of our Proposal to provide design engineering services, and for your selection of Hubbell, Roth & Clark, Inc. as the top ranked firm for this project. We look forward to working with the City of Troy during design of the project.

As requested, we are providing an estimated cost proposal for the Wattles Road, 1,000' east and west of Rochester Road, Reconstruction project in accordance with the MDOT guidelines provided by the City. On the attached forms, we have estimated the total cost of the design engineering services. The cost is based on a projection of manhours, direct hourly rates, MDOT approved overhead and fixed fee percentages for HRC and our sub-consultants and on the attached design services fixed fee calculation worksheet. The projected manhours have remained the same as in our Un-Priced Technical Proposal. If desired, we would be happy to meet with you to discuss our cost proposal.

We appreciate the opportunity to work with the City on this project and look forward to the successful completion of this much needed road improvement project.

Very truly yours,

HUBBELL, ROTH & CLARK, INC.

A handwritten signature in cursive script that reads 'Walter H. Alix'.

Walter H. Alix, P.E., P.S.
Vice President/Principal

MM/
Attachments
pc: HRC; M. MacDonald, N. Faught, File

DERIVATION OF COST PROPOSAL**Wattles Road Reconstruction - 1,000' East & West of Rochester Road****City of Troy Project No. 01.106.5****PRIME CONSULTANT
HUBBELL, ROTH & CLARK, INC.****DIRECT LABOR**

Classification	Person Hours	x	Hourly Rate	=	Labor Costs
Project Manager/Associate	117		\$36.76		\$4,300.92
Associate	35		\$36.76		\$1,286.60
Senior Project Engineer	190		\$35.50		\$6,745.00
Graduate Engineer I	162		\$24.00		\$3,888.00
Designer	60		\$29.40		\$1,764.00
Senior Technician	180		\$27.00		\$4,860.00
Senior Technician	339		\$21.00		\$7,119.00
Survey - Field Chiefs	31		\$32.15		\$996.65
Survey - Senior Party Chief	34		\$25.63		\$871.42
Survey - Operator	34		\$15.17		\$515.78
Survey - Survey Assisstant	34		\$13.20		\$448.80
Total Hours	1,216		Total 2001 Labor		\$32,796.17
			Anticipated 2002 Wage Increase (4%)		\$1,311.85
			Total 2002 Labor		\$34,108.02

OVERHEAD

Total Labor x 148.01%	Total Overhead	\$50,483.28
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FACILITIES COST OF CAPITOL (FCC)

Total Labor x 0.94%	Total FCC Cost	\$320.62
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FIXED FEE

(Total Labor + Total Overhead) x 14.5%	Total Fixed Fee	\$12,265.74
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DIRECT EXPENSES

(Listed by item at actual cost to you - NO MARK UP.)

Total Direct Costs	\$0.00
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TOTAL COSTS	\$97,177.65
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DERIVATION OF COST PROPOSAL

Wattles Road Reconstruction - 1,000' East & West of Rochester Road

City of Troy Project No. 01.106.5

ATTACHMENT "A"

Classification/Personnel

Senior Project Engineer - Antonio Perez

Graduate Engineer - Alvin Austria

Designer - David Kelley

Senior Technician - Oscar Villanos (\$27.00)

Senior Technician - Scott Tambling (\$21.00)

Survey, Field Chiefs - Robert Frisch

Survey, Survey Assistant - Keith Kapuscinski

DERIVATION OF COST PROPOSAL

Wattles Road Reconstruction - 1,000' East & West of Rochester Road

City of Troy Project No. 01.106.5

**SUB-CONSULTANT
MANSELL & ASSOCIATES****DIRECT LABOR**

Classification	Person Hours	x	Hourly Rate	=	Labor Costs
Engineer V	18		\$38.00		\$684.00
Engineer IV	10		\$27.00		\$270.00
Engineer III	20		\$24.00		\$480.00
CADD Operator IV	24		\$19.00		\$456.00
CADD Operator III	28		\$17.50		\$490.00
Drafter IV	10		\$10.00		\$100.00
Total Hours	110		Total Labor		\$2,480.00

OVERHEAD

Total Labor x 125%	Total Overhead	\$3,100.00
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FACILITIES COST OF CAPITOL (FCC)

Total Labor x 0%	Total FCC Cost	\$0.00
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FIXED FEE

(Total Labor + Total Overhead) x 15%	Total Fixed Fee	\$837.00
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DIRECT EXPENSES

(Listed by item at actual cost to you - NO MARK UP.)

Total Direct Costs	\$0.00
---------------------------	---------------

TOTAL COSTS	\$6,417.00
--------------------	-------------------

DERIVATION OF COST PROPOSAL**Wattles Road Reconstruction - 1,000' East & West of Rochester Road****City of Troy Project No. 01.106.5****SUB-CONSULTANT
TESTING ENGINEERS & CONSULTANTS, INC.****DIRECT LABOR**

Classification	Person Hours	x	Hourly Rate	=	Labor Costs
Associate	2		\$45.19		\$90.38
Project Manager	22		\$25.00		\$550.00
Driller - Senior Technician	11		\$22.73		\$250.03
Driller - Technician	13		\$13.71		\$178.23
Laboratory Technician	15		\$20.80		\$312.00
Flagging Personnel	8		\$18.75		\$150.00
Staff Engineer	2		\$18.75		\$37.50
Clerical	6		\$13.50		\$81.00
Total Hours	79		Total Labor		\$1,649.14

OVERHEAD

Total Labor x 171.8%	Total Overhead	\$2,833.22
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FACILITIES COST OF CAPITOL (FCC)

Total Labor x 1.25%	Total FCC Cost	\$20.61
---------------------	-----------------------	----------------

FIXED FEE

(Total Labor + Total Overhead) x 15%	Total Fixed Fee	\$672.35
--------------------------------------	------------------------	-----------------

DIRECT EXPENSES

(Listed by item at actual cost to you - NO MARK UP.)

Milage (50 miles @ \$0.42/mile)	\$21.00
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Permits and Bonds (if required)	\$400.00
---------------------------------	-----------------

Equipment Rental	\$250.00
------------------	-----------------

Total Direct Costs	\$671.00
---------------------------	-----------------

TOTAL COSTS	\$5,846.33
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DERIVATION OF COST PROPOSAL

Wattles Road Reconstruction - 1,000' East & West of Rochester Road

City of Troy Project No. 01.106.5

**SUMMARY BY JOB NUMBER AND BY CATEGORY
HUBBELL, ROTH & CLARK, INC. AND SUBCONSULTANTS****DIRECT LABOR****PRIME CONSULTANT(S)**

Hubbell, Roth & Clark, Inc	Direct Labor Hours	1,216	Direct Labor Costs	\$34,108.02
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SUB-CONSULTANTS

Mansell & Associates	Direct Labor Hours	110	Direct Labor Costs	\$2,480.00
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Testing Engineers & Consultants, Inc.	Direct Labor Hours	79	Direct Labor Costs	\$1,649.14
---------------------------------------	--------------------	----	--------------------	------------

Total Direct Labor Costs				\$38,237.16
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OVERHEAD**PRIME CONSULTANT(S)**

Hubbell, Roth & Clark, Inc	Overhead Costs	\$50,483.28
----------------------------	----------------	-------------

SUB-CONSULTANTS

Mansell & Associates	Overhead Costs	\$3,100.00
----------------------	----------------	------------

Testing Engineers & Consultants, Inc.	Overhead Costs	\$2,833.22
---------------------------------------	----------------	------------

Total Overhead Costs		\$56,416.50
-----------------------------	--	--------------------

FACILITIES COST OF CAPITOL**PRIME CONSULTANT(S)**

Hubbell, Roth & Clark, Inc	FCC Costs	\$320.62
----------------------------	-----------	----------

SUB-CONSULTANTS

Mansell & Associates	FCC Costs	\$0.00
----------------------	-----------	--------

Testing Engineers & Consultants, Inc.	FCC Costs	\$20.61
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Total FCC Costs		\$341.23
------------------------	--	-----------------

FIXED FEE**PRIME CONSULTANT(S)**

Hubbell, Roth & Clark, Inc	Fixed Fee Costs	\$12,265.74
----------------------------	-----------------	-------------

SUB-CONSULTANTS

Mansell & Associates	Fixed Fee Costs	\$837.00
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Testing Engineers & Consultants, Inc.	Fixed Fee Costs	\$672.35
---------------------------------------	-----------------	----------

Total Fixed Fee Costs		\$13,775.09
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DIRECT EXPENSES**PRIME CONSULTANT(S)**

Hubbell, Roth & Clark, Inc	Direct Costs	\$0.00
----------------------------	--------------	--------

SUB-CONSULTANTS

Mansell & Associates	Direct Costs	\$0.00
----------------------	--------------	--------

Testing Engineers & Consultants, Inc.	Direct Costs	\$671.00
---------------------------------------	--------------	----------

Total Direct Costs		\$671.00
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TOTAL COSTS FOR THIS JOB**\$109,440.98**

DERIVATION OF COST PROPOSAL**Wattles Road Reconstruction - 1,000' East & West of Rochester Road****City of Troy Project No. 01.106.5****SUMMARY BY CONSULTANT****Design Engineering Services**

	<u>PE Hours</u>	<u>PE Cost</u>	<u>Fixed Fee</u>	<u>DBE Y/N</u>	<u>% of Cost</u>
PRIME CONSULTANT					
Hubbell, Roth & Clark, Inc	1,216	\$84,911.91	\$12,265.74	N	89%
SUB CONSULTANT					
Mansell & Associates	110	\$5,580.00	\$837.00	Y	6%
Consultants, Inc.	79	\$5,173.98	\$672.35	N	5%
Totals	<u>1,405</u>	<u>\$95,665.88</u>	<u>\$13,775.09</u>		<u>100%</u>

**Proposed Person Hours by PPMS Task
Wattles Road Reconstruction
1000' East and West of Rochester Road**

Task Number	PPMS Task Description	Firm	Proj. Manager/ Assoc.	Associate	Senior Project Engineer	Graduate Engineer I	Survey - Field Chiefs	Designer/ Senior Technician	Senior Technician	Survey - Senior Party Chief	Survey - Instrument Person	Survey - Survey Assistant	Total By Task
3330, 3340 & 50	Conduct Ali Surveys	HRC	2	0	0	4	5	20	0	30	30	30	121
3330	Prepare Final Survey Report	HRC	1	1	0	4	20	10	0	0	0	0	36
3110, 3510	Roadway Geotechnical Investigation	HRC	4	24	0	2	1	11	42	4	4	4	96
		TEC		24		2	1	11	42	4	4	4	
3361	Submittal of Preliminary ROW Plans	HRC	5	1	10	15	0	10	40	0	0	0	81
3360	Prepare Base Plans	HRC	10	2	40	30	0	40	40	0	0	0	162
3390	Develop Construction Zone Traffic Control Concepts	HRC	8	0	16	0	0	0	20	0	0	0	44
3380	Review Base Plans	HRC	4	1	4	0	0	0	0	0	0	0	9
	Develop Preliminary Master Storm Design	HRC	4	4	0	10	0	0	20	0	0	0	38
3560	Conduct Preliminary Geometric & Roadside Safety Review	HRC	4	1	5	0	0	0	0	0	0	0	10
3625	Develop Preliminary Electrical Plans	HRC	4	0	0	0	0	30	20	0	0	0	54
3540	Develop Construction Zone Traffic Control Plan	HRC	5	1	15	15	0	30	20	0	0	0	86
3550	Develop Preliminary Traffic Operations Plan	HRC	17	5	18	26	0	20	32	0	0	0	118
		MA	12	4	8	16		20	32				
3590	Review Preliminary Plans	HRC	6	1	8	0	0	0	0	0	0	0	15
3610	Compile Utility Information	HRC	0	0	0	4	0	0	4	0	0	0	8
3620	Develop Preliminary Municipal Utility Plans	HRC	6	0	0	20	0	0	10	0	0	0	36
3580	Develop Preliminary Plans	HRC	5	1	15	15	0	40	40	0	0	0	116
3581	Final Right-of-Way Plans	HRC	5	1	10	0	5	10	0	0	0	0	31
3660	Resolve Utility Issues	HRC	4	0	5	0	0	0	10	0	0	0	19
	Prepare Final Master Storm Design	HRC	0	10	0	0	0	0	5	0	0	0	15
3670	Prepare Final Municipal Utility Plans	HRC	2	0	10	0	0	0	10	0	0	0	22
3675	Prepare Final Electrical Plans	HRC	5	4	0	0	0	30	15	0	0	0	54
3680	Obtain Permits	HRC	2	0	5	0	0	0	0	0	0	0	7
3720	Submit Enviro. Permit App.	HRC	1	0	5	0	0	0	5	0	0	0	11
3730	Obtain Enviro. Permit App.	HRC	0	0	5	0	0	0	0	0	0	0	5
3810	Conduct Final Geometric & Roadside Safety Review	HRC	2	1	0	10	0	0	10	0	0	0	23
3820	Prepare Final Traffic Operations Plan	HRC	2	2	4	14	0	4	26	0	0	0	52
		MA	2	2	2	10			20				
3830	Prepare Final Construction Zone Traffic Control Plans	HRC	6	0	5	5	0	0	20	0	0	0	36
3840	Develop Final Plans and Specifications	HRC	15	5	20	10	0	20	30	0	0	0	100
Total Hours by Classification			129	65	200	184	31	275	419	34	34	34	1405

Summary of Hours by Firms & by Job Classification

	Firm	Proj. Manager/ Assoc.	Associate	Senior Project Engineer	Graduate Engineer I	Survey - Field Chiefs	Designer/ Senior Technician	Senior Technician	Survey - Senior Party Chief	Survey - Instrument Person	Survey - Survey Assistant	Total	Percent
Hubbell, Roth & Clark	HRC	117	35	190	162	31	240	339	34	34	34	1216	86.5%
Mansell & Associates	MA	12	6	10	20	0	24	38	0	0	0	110	7.8%
Testing Engineers & Consultants	TEC	0	24	0	2	0	11	42	0	0	0	79	5.6%
												1405	100.0%

5. Checking detailed construction drawings, shop and erect cost reports of materials and equipment submitted by compliance with design concept; **EXHIBIT 5**
6. The assignment of certified storm water management operators for construction sites to assure MDEQ requirements are followed;
7. The assignment of certified soil erosion and sedimentation control operators to meet Act 451 of the Public Acts of 1994, Part 91.

Payments For Engineering Services

A. Preliminary or "Design Report" Phase

Due to the uncertain nature of the scope and extent of preliminary phase work, we propose to invoice for services performed on a time basis as described below.

The fee for work done on a time basis will be the hourly rate of the employee doing the work, plus a factor of 1.8 times the hourly rate. This factor covers unemployment and payroll taxes, contributions for Social Security, retirement benefits, medical and life insurance benefits, overhead plus a reasonable margin for contingencies, readiness to serve, and profit.

Attached is a list of our 1998 Hourly Rate Schedule which is divided into categories based on employee classification. As requested, we have also provided the 1998 total hourly rate for various personnel which may be utilized during preparation of City projects.

B. Design Phase

The fees for the Design Phase of public works projects will be divided into two classes. Class 1 projects will include drain enclosures, channel improvements, sanitary sewers, water mains, pavement overlays or other projects not requiring detailed structural, mechanical or electrical design. Class 2 projects will include new road construction or reconstruction, sidewalks, bridges, pumping stations or others requiring detailed structural, mechanical or electrical design.

The fees for said classes will be based on a percentage of the final construction cost, including Change Orders, during construction according to the following schedules:

<u>Construction Cost</u>	<u>% Fee</u>	<u>Class 2</u>
	<u>Class 1</u>	
Up to \$100,000	6.7	8.0
400,000	5.4	6.1
600,000	5.1	5.9
1,000,000	4.8	5.6
3,000,000	4.2	5.2
5,000,000 & Over	4.0	4.8

The fee will be adjusted to the actual cost of construction at the completion of the work. Items of work that may have been designed and subsequently deleted will be paid for on the percentage fee applied to the estimated cost. For construction costs falling between the points enumerated above, the percent fee will be interpolated on a straight line basis.

C. Construction Phase

For the Construction Phase our fee shall be a percentage of the final construction cost including Change Orders during construction.

Construction Cost	% Fee	
	<u>Class 1</u>	<u>Class 2</u>
Up to \$100,000	2.7	3.0
400,000	2.2	2.4
600,000	2.0	2.3
1,000,000	1.9	2.3
3,000,000	1.6	2.0
5,000,000 & Over	1.6	1.9

For construction costs falling between the points enumerated above, the percent fee will be interpolated on a straight line basis.

D. Construction Observation, Construction Layout, and Material Testing

The fee for inspection and construction layout of construction projects will be on a time basis as described in Section A above.

E. Other Professional Engineering Services

The fee for miscellaneous additional services and other services as may be requested, including the bi-annual bridge inventory will be billed on a time basis unless other prior arrangements are made.

For the preparation of Special Reports, Feasibility Studies, or Master Plans, the fee may be an agreed upon lump sum to be determined at the time of authorization to proceed with the work or on a time basis as described above.

The time required to obtain approvals from the Michigan Department of Environmental Quality will be on a time basis.

For review of private development site plans, the fee will be 1.3% of the estimated construction cost for the improvements being reviewed with a minimum fee of not less than \$200 per site or subdivision or on a time basis as described above.

SUBCONTRACT NO. _____
CONTROL SECTION NO. _____
JOB NO. _____
FED. PROJECT NO. _____
FED. ITEM NO. _____

City of Troy

Hubbell, Roth & Clark, Inc.

PRELIMINARY ENGINEERING CONTRACT

A Surface Transportation PROJECT

THIS CONTRACT, made and entered into as of this date of _____, by and between Hubbell, Roth & Clark, Inc. a Consultant Engineering Corporation, of Bloomfield Hills, Michigan, hereinafter referred to as the "CONSULTANT," and the City of Troy, hereinafter referred to as the "LOCAL AGENCY."

WITNESSETH:

WHEREAS, the LOCAL AGENCY is desirous of proceeding with preparation of plans for a road improvement project within its limits; and

WHEREAS, the LOCAL AGENCY desires to engage the professional services and assistance of the CONSULTANT to preform certain preliminary engineering services and other related work, said work to be hereinafter referred to as the "SERVICES," required in connection with the construction of the following surface transportation improvements under the transportation program, said improvements to be hereinafter referred to as the "PROJECT."

"Reconstruction of an existing two and four-lane asphalt pavement to a four-lane concrete boulevard; including underground utilities, traffic signals and street lighting on Wattles Road, 1,000 feet East and West of Rochester Road;" and

WHEREAS, the LOCAL AGENCY has programmed the PROJECT with the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT" for construction with the use of Surface Transportation Program Funds administered by the United States Department of Transportation, Federal Highway Administration, hereinafter referred to as the "FHWA;" and

WHEREAS, the CONSULTANT is willing to render the SERVICES desired by the LOCAL AGENCY for the considerations hereinafter expressed; and

WHEREAS, the CONSULTANT was selected utilizing a qualifications based selection (QBS) process; and

WHEREAS, the parties hereto have reached an understanding regarding the performance of the SERVICES on the PROJECT and desire to set forth this understanding in the form of a written contract;

NOW THEREFORE, it is hereby agreed by and between the parties hereto that:

THE CONSULTANT SHALL:

1. Design and prepare studies, preliminary plans, final plans, specifications, quantity sheets, estimates of cost, and do other related work necessary to develop the complete design for the PROJECT. Also perform right-of-way requirements, recommendations, land surveys and computations. Right-of-way plats are to be shown by the CONSULTANT on the construction plans. Boring and supplemental specialized services, as required, are to be made by others under the CONSULTANT's supervision.
2. Govern all SERVICES by the applicable codes and practices of the LOCAL AGENCY and the DEPARTMENT and the FHWA.
3. Submit for approval by the LOCAL AGENCY and the DEPARTMENT, studies and preliminary plans showing the proposed layouts of the PROJECT.
4. After approval and acceptance of the studies and preliminary plans and preliminary cost estimates by the LOCAL AGENCY and the DEPARTMENT, prepare and submit complete detailed construction plans (final plans), supplemental specifications, estimates of quantities, design calculations if requested, and engineer's final estimates of cost for all necessary construction and other work, such as utility relocations, included in the complete design of the PROJECT.
5. During the preparation of the plans, make such changes and revisions in said plans and supporting material as are considered necessary and desirable by the LOCAL AGENCY and the DEPARTMENT to assure conformance of plans to good design and standard practices, and to have said plans and other material in proper form for receiving bids.
6. During construction, make all corrections and alterations in the detailed plans for the PROJECT as may be deemed necessary by the LOCAL AGENCY and the DEPARTMENT as a result of errors and omissions. The CONSULTANT and the LOCAL AGENCY specifically agree that in the event problems arise that may be the result of errors and/or omissions by the CONSULTANT or due to a failure of the CONSULTANT to otherwise perform in accordance with this contract, that the CONSULTANT will be held responsible with no cost to the LOCAL AGENCY or in accordance with the LOCAL AGENCY'S dispute resolution process if applicable.
7. Check all shop drawing details for items of construction, as may be submitted to the LOCAL AGENCY for approval by the LOCAL AGENCY and the DEPARTMENT in order to insure compliance with plans and specifications.
8. Supply all materials, including incidental blueprints required.

9. During the performance of the SERVICES, be responsible for any loss or damage to the documents, hereinafter enumerated as belonging to the LOCAL AGENCY while they are in its possession. Restoration of lost or damaged documents shall be at the CONSULTANT'S expense.

10. Attend conferences and make such trips to the offices of the LOCAL AGENCY and to the site of the work to confer with representative of the LOCAL AGENCY or the DEPARTMENT or the FHWA as may be necessary in the carrying out of the work under this contract.

11. Follow standard accounting practices and permit representatives of the LOCAL AGENCY and the DEPARTMENT and the FHWA to audit and inspect its PROJECT books and records at any reasonable time. Such records are to be kept available for three (3) years from the date of the final payment for work conducted under this contract.

- a. The CONSULTANT shall establish and maintain accurate records, in accordance with generally accepted accounting principals, of all expenses incurred for which payment is sought or made under this Contract, said records to be hereinafter referred to as the "RECORDS." Separate accounts shall be established and maintained for all costs incurred under this Contract.
- b. The CONSULTANT shall maintain the RECORDS for at least three (3) years from the date of final payment of federal aid or state aid made by the DEPARTMENT to the LOCAL AGENCY under this Contract. In the event of a dispute with regard to the allowable expenses or any other issue under this Contract, the CONSULTANT shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.
- c. The DEPARTMENT, or their representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.
- d. If any part of the work is subcontracted, the CONSULTANT shall assure compliance with subsections (a), (b), and (c) above for all subcontracted work.

12. Have in its employ a sufficient number of qualified employees available to complete the design of the PROJECT and to submit prints of the preliminary plans for the review of the LOCAL AGENCY and the DEPARTMENT by October 2002, and further submit the tracings of the final plans to the LOCAL AGENCY within six (6) weeks after receipt of the review comments. The date, as specified and determined, will be considered as the latest date for acceptable submission of plans unless an extension of time is granted as provided in Section 31.

13. Permit the LOCAL AGENCY, the DEPARTMENT, the FHWA, and other public agencies interested in the plans and designs for the PROJECT to have full access thereto during the progress of the SERVICES being preformed thereon.

14. Upon completion of the design of the PROJECT and final approval thereof by the LOCAL AGENCY and the DEPARTMENT, deliver to the LOCAL AGENCY the following:

- a. One (1) set of final construction plans which meet current DEPARTMENT standards concerning: the use of ink or pencil, scale of drawing, and type of reproducible drawing material used.
- b. One (1) reproducible copy of the special provisions.
- c. One (1) set each of the criterion for Supplemental Specifications indicating the appropriate items for the PROJECT.
- d. One (1) set of estimates of cost construction.
- e. One (1) set of reproducibles of design calculations, if requested.
- f. Upon request by the LOCAL AGENCY, make available thereto, all notes utilized in the preparation of the plans, supplemental specifications, and cost estimates.

15. Have their professional endorsement upon all plans, specifications, estimates, and engineering data furnished to the LOCAL AGENCY.

16. Show evidence of Workers' Compensation Insurance, said insurance to be as required by law.

17. Commence SERVICE as set forth in this contract only upon receipt of written notice from the LOCAL AGENCY'S PROJECT manager that the CONSULTANT'S SERVICES are desired.

18. Submit billings to the LOCAL AGENCY, as hereinafter set forth in Section 21.

THE LOCAL AGENCY SHALL:

19. Furnish for the use of the CONSULTANT, the DEPARTMENT'S standards for bridge and road design and such other information as may be needed in a particular instance.

20. For and in consideration of the SERVICES rendered by the CONSULTANT as set forth in this contract, pay the CONSULTANT on the basis of actual cost plus a fixed fee (profit) amount which shall not exceed * dollars (\$109,440.98). The fixed fee (profit) shall be the amount of ** dollars and cents (\$13,775.09), which amount is included in the total amount of * dollars (\$109,440.98) as shown in Exhibit "A," attached hereto and made a part hereof.

*One hundred nine thousand four hundred forty dollars and ninety-eight cents
**Thirteen thousand seven hundred seventy-five dollars and nine cents

Actual costs for SERVICES required and preformed will be determined in accordance with the following terms, subject to the cost criteria set forth in the Federal Acquisition Regulations, 48 CFR, Part 31:

- a. Direct Salary Costs: Actual labor costs of personnel performing the SERVICES. This cost will be based on the employees actual hourly rate of pay and the actual hours of performance on the PROJECT as supported by employee time records.
- b. Direct Costs: Actual costs of materials and services, other than salaries, as may be required hereunder but which are not normally provided as a part of the overhead of the CONSULTANT. All actual costs shall be itemized and certified as paid to specifically named firms or individuals, and shall be supported by proper receipts.
- c. Overhead (Indirect Costs): A pro-rated portion of the actual overhead incurred by the CONSULTANT during performance of the SERVICES. The amount of overhead payment, including payroll overhead, will be calculated as a percentage of all direct labor costs related to staff personnel and members of the firm. Overhead shall include those costs which, because of their incurrence for common or joint objectives, are not readily subject to treatment as a direct cost. The provisional overhead rate, which will be applied to direct labor costs for progress payments, is set forth in Exhibit A.

It is agreed that the use of the provisional rate set forth in Exhibit A sets neither a minimum nor maximum to the actual overhead costs to be paid the CONSULTANT. Any overpayments or underpayments made to the CONSULTANT for SERVICES preformed resulting from usage of the provisional overhead rate, will be corrected subject to the contract maximum in the first paragraph of Section 20, in the first billing submitted subsequent to the CONSULTANT'S calculation of an actual overhead rate for the financial year end applicable to the reported direct labor cost. The audit at the completion of this contract, or at such time as this contract is terminated, will verify the propriety of reported overhead.

Facilities Cost of Capital: A pro-rated portion of the actual facilities cost of capital incurred by the CONSULTANT during work is reimbursable only if the estimated facilities cost of capital was specifically identified in the cost proposal for this work (Exhibit A).

- d. Travel and Subsistence: Actual costs in accordance with and not to exceed the amounts set forth in the State of Michigan Standardized Travel Regulations, incorporated herein by reference as if the same were repeated in full herein.

- e. Fixed Fee (Profit): In addition to the payments for direct and overhead costs as hereinbefore provided, the LOCAL AGENCY agrees to pay the CONSULTANT a fixed amount for profit for the SERVICES preformed. It is agreed and understood that such amount constitutes full compensation to the CONSULTANT for profit and will not vary because of any differences between the estimated cost and the actual cost for work preformed, except that in the event this contract is terminated, payment of a fixed fee (profit) in respect to the PROJECT shall be in an amount which can be established by the CONSULTANT from its accounts and records and subject to the provisions of Section 22.
- f. Those costs incurred by the CONSULTANT in the utilization of the subcontracted services of _____* shall be excluded from the calculation of the CONSULTANT'S percentage of SERVICES completed, as set forth in Section 21a., but will be reimbursed by the LOCAL AGENCY. Payment by the LOCAL AGENCY will be made directly to the CONSULTANT. The PROJECT cost attributable to _____* is estimated to be \$ 12,263.33.

*Mansell & Associates; Testing Engineers & Consultants

The maximum amount, including the fixed fee (profit), hereinbefore set forth in this Section, shall not be exceeded except by the execution of an amendment to this contract by and between the parties hereto and with approval by the DEPARTMENT and the FHWA. Payment shall be made as set forth hereinafter.

21. Make payments to the CONSULTANT in accordance with the following procedures:

- a. Progress payments may be made for reimbursement of amounts earned to date and shall include direct costs, other direct costs, calculated amounts for overhead using overhead, and facilities cost of capital using applied rates, set forth hereinbefore, plus a portion of the fixed fee.

The portion of the fixed fee which may be included in progress payments shall be equal to the total fixed fee multiplied by the percentage of the work which has been completed to date of billing.

- b. Partial payments will be made upon the submission by the CONSULTANT of a billing, accompanied by properly completed reporting forms and such other evidence of progress as may be required by the LOCAL AGENCY. Partial payments shall be made only once a month.

- c. Final billing under this contract shall be submitted in a timely manner but not later than three (3) months after completion of the SERVICES. Billing for work submitted later than three (3) months after completion of SERVICES will not be paid. Final payment, including adjustments of direct salary costs, other direct costs and overhead costs, will be made upon completion of audit by the LOCAL AGENCY and/or as appropriate, by representatives of the

DEPARTMENT and the FHWA. In the event such audit indicates an overpayment, the CONSULTANT will repay the LOCAL AGENCY within 30 days of the date of the invoice.

22. If SERVICES, or any part thereof, are terminated before completed, pay the CONSULTANT as follows:

- a. Pay the CONSULTANT actual cost plus overhead, as defined herein, incurred for the work to be terminated up to the time of termination, plus an amount determined at the time of termination to compensate the CONSULTANT in full for a normal profit on work completed, as set forth in Section 20. The amount included for overhead and profit shall be subject to approval by the DEPARTMENT and the FHWA.
- b. In no case, shall the compensation paid to the CONSULTANT for SERVICES, or any part thereof, exceed the amount the CONSULTANT would receive had the SERVICES, or the terminated portion thereof been completed.

IT IS FURTHER AGREED THAT:

23. Approval of this contract by the DEPARTMENT in no way obligates the DEPARTMENT for any costs or other responsibilities, except as fiscal agent for the FHWA with respect to making federal funds available for the SERVICES preformed by the CONSULTANT for the LOCAL AGENCY.

24. Upon completion or termination of this contract, all documents prepared by the CONSULTANT, including tracings, drawings, estimates, specifications, field notes, investigations, studies, etc., as instruments of SERVICE shall become the property of the LOCAL AGENCY.

25. No portion of the PROJECT work, heretobefore defined, shall be sublet, assigned, or otherwise disposed of except as herein provided or with the prior written consent of the LOCAL AGENCY and approval by the DEPARTMENT and the FHWA. Consent to sublet, assign or otherwise dispose of any portion of the SERVICES shall not be construed to relieve the CONSULTANT of any responsibility for the fulfillment of this contract.

26. All questions which may arise as to the quality and acceptability of work, the manner of performance and rate of progress of the work, and the interpretation of plans and specifications shall be decided by the LOCAL AGENCY'S PROJECT Manager. All questions as to the satisfactory and acceptable fulfillment of the terms of this contract shall be decided by the LOCAL AGENCY.

27. Any change in SERVICES to be preformed by the CONSULTANT involving extra compensation must be authorized in writing by the LOCAL AGENCY and approved by the DEPARTMENT and the FHWA prior to the performance thereof by the CONSULTANT and requires an amendment to this Contract.

28. In addition, the CONSULTANT shall comply with, and shall require any contractor or subcontractor to comply with, the following:

- a. In connection with the performance of this contract, the CONSULTANT (hereinafter in Appendix "A" referred to as the "contractor") agrees to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts," as set forth in Appendix "A," attached hereto and made a part hereof.
- b. During the performance of this contract, the CONSULTANT for itself, its assignees, and successors in interest (hereinafter in Appendix "B" referred to as the "contractor") agrees to comply with the Civil Rights Act of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6, and the Regulations of the United States Department of Transportation (49 CFR Part 21) issued pursuant to said Act, including Appendix "B," attached hereto and made a part hereof.
- c. The parties hereto further agree that they accept the DEPARTMENT'S Minority Business Enterprises/Women's Business Enterprises (MBE/WBE) Program with respect to the PROJECT and will abide by the provisions set forth in Appendix "C" attached hereto and made a part hereof, being an excerpt from Title 42 CFR Part 23, more specifically 23.43(a)(1) and (2) thereof.

29. The CONSULTANT warrants that it has not employed or retained any company or person other than bona fide employees working solely for the CONSULTANT, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than bona fide employees working solely for the CONSULTANT, any fee, commission, percentage, brokerage fee, gifts, or any other consideration, contingent upon, or resulting from the award, or making of this contract. For breach or violation of this warranty, the LOCAL AGENCY shall have the right to annul this contract without liability or, at its discretion, to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gifts or contingent fee.

30. The CONSULTANT specifically agrees that in the performance of SERVICES herein enumerated by it, or by an approved subcontractor, or anyone acting in its behalf, they will, to the best of their professional knowledge and ability, comply with any and all applicable state, federal, and local statutes, ordinances, and regulations.

31. No charges or claims for damages shall be made by the CONSULTANT for delays or hindrances from any cause whatsoever during the progress of any portions of the SERVICES specified in this contract, except as hereinafter provided.

In case of a substantial delay on the part of the LOCAL AGENCY in providing to the CONSULTANT either the necessary information or approval to proceed with the work, resulting, through no fault of the CONSULTANT, in delays of such extent as to require the CONSULTANT to perform its work under changed conditions not contemplated by the parties, the LOCAL

AGENCY will consider supplemental compensation limited to increased costs incurred as a direct result of such delays. Any claim for supplemental compensation must be in writing and accompanied by substantiating data. Authorization of such supplemental compensation shall be by an amendment to this contract subject to prior approval by the DEPARTMENT and the FHWA.

When delays are caused by circumstances or conditions beyond the control of the CONSULTANT as determined by the LOCAL AGENCY, the CONSULTANT shall be granted an extension of time for such reasonable period as may be mutually agreed upon between the parties, it being understood, however, that the permitting of the CONSULTANT to proceed to complete the SERVICES, or any part of them, after the date to which the time of completion may have been extended, shall in no way operate as a waiver on the part of the LOCAL AGENCY of any of its rights herein set forth.

32. In case the CONSULTANT deems extra compensation will be due it for work or materials not clearly covered in this contract, or not ordered by the LOCAL AGENCY as a change, or due to changed conditions, the CONSULTANT shall notify the LOCAL AGENCY in writing of its intention to make claim for such extra compensation before beginning such work. Failure on the part of the CONSULTANT to give such notification will constitute a waiver of the claim for such extra compensation. The filing of such notice by the CONSULTANT shall not in any way be construed to establish the validity of the claim. Such extra compensation shall be provided only by amendment to this contract with approval of the DEPARTMENT and the FHWA.

33. The CONSULTANT agrees to obtain the necessary liability insurance, acceptable to the LOCAL AGENCY and the DEPARTMENT, naming the City of Troy, the Michigan State Transportation Commission, and the Michigan Department of Transportation as insured, and to provide the LOCAL AGENCY with evidence of said insurance, and to indemnify and save harmless the LOCAL AGENCY, the Michigan State Transportation Commission, and the DEPARTMENT, their officers, agents and employees from any and all claims and losses occurring or resulting to any person, firm or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this contract, and from any and all claims and losses occurring or resulting to any person, firm, or corporation who may be injured or damaged by the CONSULTANT in the performance of this contract.

34. This contract shall be terminated upon advisement to the CONSULTANT by the LOCAL AGENCY that its SERVICES are completed and accepted.

35. The CONSULTANT'S signature on this Contract constitutes the CONSULTANT'S certification of "status" under penalty of perjury under the laws of the United States in respect to 49 CFR Part 29 pursuant to Executive Order 12549.

The certification, which is included as a part of this Contract as Attachment "A," is Appendix A of 49 CFR Part 29, and applies to the CONSULTANT (referred to in Appendix A of 49 CFR Part 29 as "the prospective primary participant").

The CONSULTANT is responsible for obtaining the same certification from all subcontractors under this contract by inserting the following paragraph in all subcontracts:

"The subcontractor's signature on this Contract constitutes the subcontractor's certification of 'status' under penalty of perjury under the laws of the United States in respect to 49 CFR Part 29 pursuant to Executive Order 12549. The certification, which is included as a part of this Contract as Attachment "B," is Appendix B of 49 CFR Part 29."

This certification is required of all subcontractors, testing laboratories, and other lower tier participants with which the CONSULTANT enters into a written arrangement for the procurement of goods or services provided for in this Contract.

36. The CONSULTANT hereby agrees that the costs reported to the LOCAL AGENCY for this Contract shall represent only those items which are properly chargeable in accordance with this Contract. The CONSULTANT also hereby certifies that it has read the Contract terms and has made itself aware of the applicable laws, regulations, and terms of this Contract that apply to the reporting of costs incurred under the terms of this Contract.

37. Upon execution of this contract by the parties hereto, the same shall become binding on the parties hereto and their successors and assigns, until such time as all work contemplated hereunder is complete, or until such time as this contract is terminated by mutual consent of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals by their duly authorized agents and representatives the day and year first above written.

Hubbell, Roth & Clark, Inc.

BY: Walter N. Alif
TITLE: Vice Pres.

BY: MD Waring
TITLE: Vice Pres.

City of Troy

BY: _____
TITLE: Mayor - Matt Pryor

BY: _____
TITLE: City Clerk - Tonni L. Bartholomew

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract, the contractor agrees as follows:

1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or handicap that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, programs, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with his contract and relevance with rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case, before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

APPENDIX B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as following:

1. Compliance with Regulations: The contractor shall comply with the regulations relative to nondiscrimination in federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 27, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or natural origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities, as may be determined by the Michigan Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Michigan Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination, or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs 1 through 6 of every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Michigan Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Michigan Department of Transportation to enter into such litigation to protect the interests of the state, and, in addition, the contractor may request the United States to enter into such litigation to protect the interest of the United States.

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

General Requirements for Recipients

Excerpts from USDOT Regulation
49 CFR, Part 23, Section 23.43

- A. Policy: It is the policy of the Department that MBE as defined in 49 CFR, Part 23, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with federal funds. Consequently, the MBE requirements of 49 CFR, Part 23, apply to this contract.
- B. MBE Obligation: The recipient or its contractor agrees to ensure that MBE as defined in 49 CFR, Part 23, has the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR, Part 23, to ensure that MBE has the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of departmentally-assisted contracts.
- C. If, as a condition of assistance, the recipient has submitted and the department has approved a minority business enterprise affirmative action program which the recipient agrees to carry out, this program is incorporated into this financial assistance agreement by reference. This program shall be treated as a legal obligation and failure to carry out its terms shall be treated as a violation of this financial assistance agreement. Upon notification to this recipient of its failure to carry out the approved program, the Department shall impose such sanctions as noted in 49 CFR, Part 23, Subpart E, which sanctions may include termination of the agreement or other measures that may affect the ability of the recipient to obtain future departmental, financial assistance.
- D. The Department hereby advises each recipient, contractor, or subcontractor that failure to carry out the requirements set forth in Section 23.43(a) 49 CFR, Part 23, shall constitute a breach of contract, and after the notification of the USDOT, may result in termination of the agreement or contract by the Department or such remedy as the Department deems appropriate.

SUBCONTRACT NO. _____
CONTROL SECTION NO. _____
JOB NO. _____
FED. PROJECT NO. _____
FED. ITEM NO. _____

CERTIFICATION

I hereby certify that I am Walter H. Alix
and a duly authorized representative of the firm of Hubbell, Roth & Clark, Inc.,
whose address is 2001 Centerpoint Drive, Pontiac, MI and that neither
I nor the above firm I here represent has:

(a) employed or retained for a commission, percentage, brokerage, contingent fee, or
other consideration, any firm or person (other than a bona fide employee working solely for me or
the above Hubbell, Roth & Clark, Inc.) to solicit or secure this contract.

(b) agreed, as an express or implied condition for obtaining this contract, to employ
or retain the services of any firm or person in connection with carrying out the contract, or

(c) paid; or agreed to pay, to any firm, organization or person (other than a bona fide
employee working solely for me or the above Hubbell, Roth & Clark, Inc.) any fee,
contribution, donation, or consideration of any kind for, or in connection with, procuring or carrying
out the contract:

except as here expressly stated (if any):

I acknowledge that this certification is to be furnished to the Michigan Department
of Transportation in connection with this contract involving participation of state and/or federal
funds, and is subject to applicable state and federal laws, both criminal and civil.

12/18/01
Date

Walter H. Alix
Signature

ATTACHMENT A

(This is a reproduction of Appendix A of 49 CFR Part 29)

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS -
PRIMARY COVERED TRANSACTIONS

Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause of default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposed," and "voluntarily excluded" as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules impeding Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally processed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
 - B. Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
 - C. Are not presently indicated for or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - D. Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

March 9, 1989

ATTACHMENT B
(This is a reproduction of Appendix B of 49 C.F.R. Part 29)
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION-LOWER TIER COVERED TRANSACTIONS

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction," without notification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List (Telephone No. (517) 335-2513 or (517) 335-2514).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

TRANSPORTATION
COMMISSION

BARTON W. LaBELLE - Chairman
JACK L. GINGRASS - Vice Chairman
BETTY JEAN AWREY
TED B. WAHBY
LOWELL B. JACKSON
JOHN W. GARSIDE
LH-LAN-0 (01/01)

STATE OF MICHIGAN



JOHN ENGLER, GOVERNOR

DEPARTMENT OF TRANSPORTATION

MURRAY D. VAN WAGONER (TRANSPORTATION) BUILDING
425 WEST OTTAWA - POST OFFICE BOX 30050, LANSING, MICHIGAN 48909
PHONE: (517) 373-2090 FAX: (517) 373-0167 WEB SITE: <http://www.mdot.state.mi.us>
GREGORY J. ROSINE, DIRECTOR
October 4, 2001

RECEIVED

DEC 11 2001

ENGINEERING

Ms. Tonni Bartholomew, Clerk
City of Troy
500 W. Big Beaver Road
Troy, MI 48084-5285

Dear Ms. Bartholomew:

RE: MDOT Contract No.: 01-5477
Control Section STU 63459
Job Number 49885

Enclosed is the original and one copy of the above described contract between your organization and the Michigan Department of Transportation (MDOT). Please take time to read and understand this contract. If this contract meets with your approval, please complete the following checklist:

- ___ Please do not date the contracts. MDOT will date the contracts when they are executed. A contract is not executed unless it has been signed by both parties.
- ___ Secure the necessary signatures on all contracts.
- ___ Include a certified resolution. The resolution should specifically name the officials who are authorized to sign the contracts.
- ___ Return all copies of the contracts to my attention of the Department's Design Division, 2nd floor for MDOT execution.

A copy of the executed contract will be forwarded to you. If you have any questions, please feel free to contact me at (517) 335-2264.

Sincerely,

A handwritten signature in cursive script that reads "Jackie Burch".

Jackie Burch
Contract Processing Specialist
Design Division

Enclosure .

STP
PRELIMINARY ENGINEERING
MODIFIED PART II

DIR	
Project	STP 0163(062)
Job Number	49885
Control Section	STU 63459
Fed Item #	HH 2948
Contract No.	01-5477

PART I

THIS CONTRACT, consisting of PART I and PART II (Modified Standard Agreement Provisions), is made and entered into this date of _____, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF TROY, a Michigan municipal corporation, hereinafter referred to as the "REQUESTING PARTY"; for the purpose of fixing the rights and obligations of the parties in agreeing to the performance by the REQUESTING PARTY of preliminary engineering, consisting of the preparation of reports and studies, as well as the surveys and design, necessary for the construction of the following improvements in the City of Troy, Michigan, which preliminary engineering is hereinafter referred to as the "PROJECT":

- Performance of preliminary engineering activities for the reconstruction of an existing four-lane bituminous roadway to a four-lane concrete boulevard with right-turn lanes along Wattles Road from 1000 feet west of Rochester Road to 1000 feet east of Rochester Road; and all together with necessary related work.

WITNESSETH:

WHEREAS, pursuant to Federal law, monies have been provided for the performance of certain improvements on public roads; and

WHEREAS, the reference "FHWA" in PART I and PART II refers to the United States Department of Transportation, Federal Highway Administration; and

WHEREAS, the PROJECT, or portions of the PROJECT at the request of the REQUESTING PARTY, are being programmed with the FHWA, for implementation with the use of Federal Funds under the following Federal program(s):

SURFACE TRANSPORTATION PROGRAM

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written contract.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The parties hereto approve of and shall undertake and complete the PROJECT in accordance with the terms of this contract.

2. The term "PROJECT COST", as herein used, is hereby defined as all the costs necessary for the performance of the PROJECT work, including any costs incurred by the DEPARTMENT as a result of this contract.

3. The REQUESTING PARTY will perform or cause to be performed all the PROJECT work. The method of performing the work will be indicated on the work authorization.

4. The PROJECT COST shall be met in part by contributions by the Federal Government. Federal Surface Transportation Funds shall be applied to the eligible items of the PROJECT COST at the established Federal participation ratio equal to 81.85 percent. The balance of the PROJECT COST, after deduction of Federal Funds, shall be paid by the REQUESTING PARTY. The PROJECT COST and the cost participation are estimated to be as follows:

<u>ESTIMATED COST</u>	<u>FEDERAL AID</u>	<u>REQUESTING PARTY'S SHARE</u>
\$80,000	\$65,500	\$14,500

Any items of PROJECT COST not reimbursed by Federal Funds will be the sole responsibility of the REQUESTING PARTY.

5. The construction of the improvements for which the PROJECT work is being performed and the construction engineering work related thereto will be covered by a separate contract.

6. A working capital deposit is not required for the PROJECT.

7. The contracting parties do hereby agree to be bound by all of the provisions and conditions set forth in PART II hereof which are applicable to the PROJECT.

8. The DEPARTMENT'S sole reason for entering into this contract is to enable the REQUESTING PARTY to obtain and use funds provided by the state and/or the FHWA.

Any and all approvals of, reviews of, and recommendations regarding contracts, agreements, permits, plans, specifications, or documents, of any nature, or any inspections of work by the DEPARTMENT pursuant to the terms of this contract are done to assist the REQUESTING PARTY in meeting program guidelines in order to qualify for available funds. Such approvals, reviews, inspections and recommendations by the DEPARTMENT shall not relieve the REQUESTING PARTY and the local agencies, as applicable, of their ultimate control and shall not be construed as a warranty of their propriety or that the DEPARTMENT is assuming any liability, control or jurisdiction.

The providing of recommendations or advice by the DEPARTMENT does not relieve the REQUESTING PARTY and the local agencies, as applicable, of their exclusive jurisdiction of the highway and responsibility under MCL 691.1402, MSA 3.996(102).

When providing approvals, reviews and recommendations under this contract, the DEPARTMENT is performing a governmental function, as that term is defined in MCL 691.1401; MSA 3.996(101), which is incidental to the completion of the PROJECT.

9. The DEPARTMENT, by executing this contract, and rendering services pursuant to this contract, has not and does not assume jurisdiction of the highway, described as the PROJECT for purposes of MCL 691.1402; MSA 3.996(102). Exclusive jurisdiction of such highway for the purposes of MCL 691.1402; MSA 3.996(102) rest with the REQUESTING PARTY and other local agencies having respective jurisdiction.

10. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the parties hereto and upon the adoption of the necessary resolution approving said contract and authorizing the signatures thereto of the respective officials of the REQUESTING PARTY, a certified copy of which resolution shall be attached to this contract.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

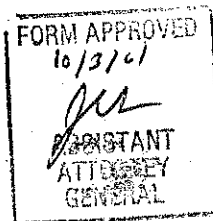
CITY OF TROY

MICHIGAN DEPARTMENT
OF TRANSPORTATION

By _____
Title:

By _____
Department Director MDOT

By _____
Title:



DOT

BUREAU OF HIGHWAYS
NON CONSTRUCTION
03-15-93

PART II
MODIFIED

STANDARD AGREEMENT PROVISIONS

SECTION I COMPLIANCE WITH REGULATIONS AND DIRECTIVES

SECTION II PROJECT ADMINISTRATION AND SUPERVISION

SECTION III ACCOUNTING AND BILLING

SECTION IV SPECIAL PROGRAM AND PROJECT CONDITIONS

SECTION I

COMPLIANCE WITH REGULATIONS AND DIRECTIVES

- A. All work shall be performed in accordance with the requirements and procedures of the DEPARTMENT
- B. All work on projects for which reimbursement with Federal funds is requested shall be performed in accordance with the requirements and guidelines set forth in the Directives of the Federal-Aid Policy Guide (FAPG) of the FHWA, as applicable, and as referenced in pertinent sections of Title 23 of the Code of Federal Regulations (CFR), and all supplements and amendments thereto.
- C. In conformance with FAPG (23 CFR 630C): Project Agreements, the parties to this contract, on those Federally funded projects which exceed a total cost of \$100,000.00 stipulate the following with respect to their specific jurisdictions:
 - 1. That any facility to be utilized in performance under or to benefit from this contract is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities issued pursuant to the requirements of the Federal Clean Air Act, as amended, and the Federal Water Pollution Control Act, as amended.
 - 2. That they each agree to comply with all of the requirements of Section 114 of the Federal Clean Air Act and Section 308 of the Federal Water Pollution Control Act, and all regulations and guidelines issued thereunder.
 - 3. That as a condition of Federal aid pursuant to this contract they shall notify the DEPARTMENT of the receipt of any advice indicating that a facility to be utilized in performance under or to benefit from this contract is under consideration to be listed on the EPA List of Violating Facilities.
- D. Ensure that the PROJECT is constructed in accordance with and incorporates all committed environmental impact mitigation measures listed in approved environmental documents unless modified or deleted by approval of the FHWA.
- E. All the requirements, guidelines, conditions and restrictions noted in all other pertinent Directives and Instructional Memoranda of the FHWA will apply to this contract and will be adhered to, as applicable, by the parties hereto.

SECTION II

PROJECT ADMINISTRATION AND SUPERVISION

- A. The DEPARTMENT shall provide such administrative guidance as it determines is required by the PROJECT in order to facilitate the obtaining of available federal and/or state funds.
- B. On those projects funded with Federal monies, the DEPARTMENT shall, as may be required, secure from the FHWA approval of plans and specifications, and such cost estimates for FHWA participation in the PROJECT COST.
- C. Should it be necessary or desirable that portions of the work covered by this contract be accomplished by a consulting firm, a railway company, or governmental agency, firm, person, or corporation, under a subcontract with the REQUESTING PARTY at PROJECT expense, such subcontracted arrangements will be covered by formal written agreement between the REQUESTING PARTY and that party.

This formal written agreement shall: include a reference to the specific prime contract to which it pertains; include provisions which clearly set forth the maximum reimbursable and the basis of payment; provide for the maintenance of accounting records in accordance with generally accepted accounting principles, which clearly document the actual cost of the services provided; provide that costs eligible for reimbursement shall be in accordance with clearly defined cost criteria such as 49 CFR Part 18, 48 CFR Part 31, 23 CFR Part 140, OMB Circular A-87, etc. as applicable; provide for access to the department or its representatives to inspect and audit all data and records related to the agreement for a minimum of three years after the department's final payment to the local unit.

All such agreements will be submitted for approval by the DEPARTMENT and, if applicable, by the FHWA prior to execution thereof, except for agreements for amounts less than \$25,000 for preliminary engineering and testing services executed under and in accordance with the provisions of the "Small Purchase Procedures" FAPG (23 CFR 172), which do not require prior approval of the DEPARTMENT or the FHWA.

Any such approval by the DEPARTMENT shall in no way be construed as a warranty of the subcontractor's qualifications, financial integrity, or ability to perform the work being subcontracted.

- D. No PROJECT work for which reimbursement will be requested by the REQUESTING PARTY is to be subcontracted or performed until the DEPARTMENT gives written notification that such work may commence.

- E. The REQUESTING PARTY shall be responsible for the payment of all costs and expenses incurred in the performance of the work it agrees to undertake and perform.
- F. The REQUESTING PARTY shall pay directly to the party performing the work all billings for the services performed on the PROJECT which are authorized by or through the REQUESTING PARTY.
- G. The REQUESTING PARTY shall submit to the DEPARTMENT all paid billings for which reimbursement is desired in accordance with DEPARTMENT procedures.
- H. All work by a consulting firm will be performed in compliance with the applicable provisions of 1980 PA 299, Subsection 201, MCL 339.2001; MSA 18.425(2001), as well as in accordance with the provisions of all previously cited Directives of the FHWA.
- I. The project engineer shall be subject to such administrative guidance as may be deemed necessary to ensure compliance with program requirement and, in those instances where a consultant firm is retained to provide engineering and inspection services, the personnel performing those services shall be subject to the same conditions.
- J. The DEPARTMENT, in administering the PROJECT in accordance with applicable Federal and State requirements and regulations, neither assumes nor becomes liable for any obligations undertaken or arising between the REQUESTING PARTY and any other party with respect to the PROJECT.
- K. In the event it is determined by the DEPARTMENT that there will be either insufficient Federal funds or insufficient time to properly administer such funds for the entire PROJECT or portions thereof, the DEPARTMENT, prior to advertising or issuing authorization for work performance, may cancel the PROJECT, or any portion thereof, and upon written notice to the parties this contract shall be void and of no effect with respect to that cancelled portion of the PROJECT. Any PROJECT deposits previously made by the parties on the cancelled portions of the PROJECT will be promptly refunded.
- L. Those projects funded with Federal monies will be subject to inspection at all times by the DEPARTMENT and the FHWA.

SECTION III

ACCOUNTING AND BILLING

A. Procedures for billing for work undertaken by the REQUESTING PARTY:

1. The REQUESTING PARTY shall establish and maintain accurate records, in accordance with generally accepted accounting principles, of all expenses incurred for which payment is sought or made under this contract, said records to be hereinafter referred to as the "RECORDS". Separate accounts shall be established and maintained for all costs incurred under this contract.

The REQUESTING PARTY shall maintain the RECORDS for at least three (3) years from the date of final payment of Federal Aid made by the DEPARTMENT under this contract. In the event of a dispute with regard to the allowable expenses or any other issue under this contract, the REQUESTING PARTY shall thereafter continue to maintain the RECORDS at least until that dispute has been finally decided and the time for all available challenges or appeals of that decision has expired.

The DEPARTMENT, or its representative, may inspect, copy, or audit the RECORDS at any reasonable time after giving reasonable notice.

If any part of the work is subcontracted, the REQUESTING PARTY shall assure compliance with the above for all subcontracted work.

In the event that an audit performed by or on behalf of the DEPARTMENT indicates an adjustment to the costs reported under this contract, or questions the allowability of an item of expense, the DEPARTMENT shall promptly submit to the REQUESTING PARTY, a Notice of Audit Results and a copy of the audit report which may supplement or modify any tentative findings verbally communicated to the REQUESTING PARTY at the completion of an audit.

Within sixty (60) days after the date of the Notice of Audit Results, the REQUESTING PARTY shall: (a) respond in writing to the responsible Bureau or the DEPARTMENT indicating whether or not it concurs with the audit report, (b) clearly explain the nature and basis for any disagreement as to a disallowed item of expense and, (c) submit to the DEPARTMENT a written explanation as to any questioned or no opinion expressed item of expense, hereinafter referred to as the "RESPONSE". The RESPONSE shall be clearly stated and provide any supporting documentation necessary to resolve any disagreement or questioned or no opinion expressed item of expense. Where the documentation is voluminous, the REQUESTING PARTY may supply appropriate excerpts and make alternate arrangements to conveniently and

reasonably make that documentation available for review by the DEPARTMENT. The RESPONSE shall refer to and apply the language of the contract. The REQUESTING PARTY agrees that failure to submit a RESPONSE within the sixty (60) day period constitutes agreement with any disallowance of an item of expense and authorizes the DEPARTMENT to finally disallow any items of questioned or no opinion expressed cost.

The DEPARTMENT shall make its decision with regard to any Notice of Audit Results and RESPONSE within one hundred twenty (120) days after the date of the Notice of Audit Results. If the DEPARTMENT determines that an overpayment has been made to the REQUESTING PARTY, the REQUESTING PARTY shall repay that amount to the DEPARTMENT or reach agreement with the DEPARTMENT on a repayment schedule within thirty (30) days after the date of an invoice from the DEPARTMENT. If the REQUESTING PARTY fails to repay the overpayment or reach agreement with the DEPARTMENT on a repayment schedule within the thirty (30) day period, the REQUESTING PARTY agrees that the DEPARTMENT shall deduct all or a portion of the overpayment from any funds then or thereafter payable by the DEPARTMENT to the REQUESTING PARTY under this contract or any other agreement, or payable to the REQUESTING PARTY under the terms of 1951 PA 51, as applicable. Interest will be assessed on any partial payments or repayment schedules based on the unpaid balance at the end of each month until the balance is paid in full. The assessment of interest will begin thirty (30) days from the date of the invoice. The rate of interest will be based on the Michigan Department of Treasury common cash funds interest earnings. The rate of interest will be reviewed annually by the DEPARTMENT and adjusted as necessary based on the Michigan Department of Treasury common cash funds interest earnings. The REQUESTING PARTY expressly consents to this withholding or offsetting of funds under those circumstances, reserving the right to file a lawsuit in the Court of Claims to contest the DEPARTMENT'S decision only as to any item of expense the disallowance of which was disputed by the REQUESTING PARTY in a timely filed RESPONSE.

The REQUESTING PARTY shall comply with the Single Audit Act of 1984, P.L. 98-502.

The REQUESTING PARTY shall adhere to the following requirements associated with audits of accounts and records:

- a. Agencies expending a total of \$300,000 or more in federal funds, from one or more funding sources in its fiscal year, shall comply with the requirements of the federal Office of Management and Budget (OMB) Circular A-133, as revised or amended.

The agency shall submit two copies of:

- The Reporting Package
- The Data Collection Form
- The management letter to the agency, if one issued by the audit firm

The OMB Circular A-133 audit must be submitted to the address below in accordance with the time frame established in the circular, as revised or amended.

b. Agencies expending less than \$300,000 in federal funds must submit a letter to the Department advising that a circular audit was not required. The letter shall indicate the applicable fiscal year, the amount of federal funds spent, the name(s) of the Department federal programs, and the CFDA grant numbers(s). This information must also be submitted to the address below.

c. Address: Michigan Department of Transportation
Bureau of Highways Technical Services
425 W. Ottawa, P.O. Box 30050
Lansing, MI 48909

d. Agencies must also comply with applicable State laws and regulations relative to audit requirements.

e. Agencies shall not charge audit costs to Department's federal programs which are not in accordance with the OMB Circular A-133 requirements.

f. All agencies are subject to the federally required monitoring activities, which may include limited scope reviews and other on-site monitoring.

2. Agreed Unit Prices Work - All billings for work undertaken by the REQUESTING PARTY on an agreed unit price basis will be submitted in accordance with the Michigan Department of Transportation Standard Specifications for Construction and pertinent FAPG Directives and Guidelines of the FHWA.
3. Force Account Work and Subcontracted Work - All billings submitted to the DEPARTMENT for Federal reimbursement for items of work performed on a force account basis or by any subcontract with a consulting firm, railway company, governmental agency or other party, under the terms of this contract, shall be prepared in accordance with the provisions of the pertinent FAPG Directives and the procedures of the DEPARTMENT. Progress billings may be submitted monthly during the time work is being performed provided, however, that no bill of a lesser amount than \$1,000.00 shall be submitted unless it is a final or end of fiscal year billing. All billings shall be labeled either "Progress Bill Number _____", or

"Final Billing".

4. Final billing under this contract shall be submitted in a timely manner but not later than six months after completion of the work. Billings for work submitted later than six months after completion of the work will not be paid.
5. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with Federal monies, the DEPARTMENT will act as billing agent for the REQUESTING PARTY, consolidating said billings with those for its own force account work and presenting these consolidated billings to the FHWA for payment. Upon receipt of reimbursement from the FHWA, the DEPARTMENT will promptly forward to the REQUESTING PARTY its share of said reimbursement.
6. Upon receipt of billings for reimbursement for work undertaken by the REQUESTING PARTY on projects funded with non-Federal monies, the DEPARTMENT will promptly forward to the REQUESTING PARTY reimbursement of eligible costs.

B. General Conditions:

1. Pursuant to the authority granted by law, the REQUESTING PARTY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its obligations as specified in PART I and PART II. If the REQUESTING PARTY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the REQUESTING PARTY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such monies thereafter allocated by law to the REQUESTING PARTY from the Michigan Transportation Fund sufficient monies to remove the default, and to credit the REQUESTING PARTY with payment thereof, and to notify the REQUESTING PARTY in writing of such fact.
2. Upon completion of all work under this contract and final audit by the DEPARTMENT or the FHWA, the REQUESTING PARTY promises to promptly repay the DEPARTMENT for any disallowed items of costs previously disbursed by the DEPARTMENT. The REQUESTING PARTY pledges its future receipts from the Michigan Transportation Fund for repayment of all disallowed items and, upon failure to make repayment for any disallowed items within ninety (90) days of demand made by the DEPARTMENT, the DEPARTMENT is hereby authorized to

withhold an equal amount from the REQUESTING PARTY'S share of any future distribution of Michigan Transportation Funds in settlement of said claim.

SECTION IV

SPECIAL PROGRAM AND PROJECT CONDITIONS

- A. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the performance of preliminary engineering must be under construction by the close of the tenth (10th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- B. Those projects for which the REQUESTING PARTY has been reimbursed with Federal monies for the acquisition of right-of-way must be under construction by the close of the twentieth (20th) fiscal year following the fiscal year in which the FHWA and the DEPARTMENT projects agreement covering that work is executed, or the REQUESTING PARTY may be required to repay to the DEPARTMENT, for forwarding to the FHWA, all monies distributed as the FHWA'S contribution to that preliminary engineering.
- C. In connection with the performance of PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract.
- D. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

March, 1998

APPENDIX B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 27, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or natural origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Michigan Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Michigan Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination, or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs 1 through 6 of every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Michigan Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Michigan Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

December 28, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Jeanette Bennett, Purchasing Director
Carol Anderson, Parks and Recreation Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder –
Annual Flowers/Bedding Plants

RECOMMENDATION

The Parks and Recreation Department recommends City Council award seasonal requirements for *Annual Flowers and Bedding Plants* on Municipal Grounds to the low bidder – Shemin Nurseries Inc., 900 Featherstone, Pontiac MI 48342, 248.333.1090, at an estimated total cost of \$9,683.45, with the option to increase quantities up to a maximum of fifteen (15) percent.

SUMMARY

Bids for the contract were opened December 18, 2001, with three companies returning complete bids. Shemin Nurseries Inc., with the exception of minor deviations meets all specifications.

BUDGET

Funds are available in the following accounts:

782.7740.010	Northfield Street Islands
344.7740.010	Fire Halls
276.7740.100	Cemetery Maintenance
770.7740.010	Parks Maintenance
787.7740.100	Aquatic Center
551.7740.010	DPW
807.7740.010	Museum Grounds
783.7740.010	DDA

26 Bids Sent
5 Bids Rec'd
2 No Bids

Prepared by: Ron Hynd, Landscape Analyst

Opening Date-- 12/18/01
Date Prepared-- 12/28/01

CITY OF TROY
BID TABULATION
ANNUAL FLOWERS/BEDDING PLANTS

SBP 01-44
Pg 1 of 2

VENDOR NAME:

SHEMIN NURSERIES, INC			DINSER'S GREENHOUSE	
			INC	
UNIT COST		TOTAL COST	UNIT COST	TOTAL COST
flat	\$ 7.75	\$ 38.75	\$ 8.25	\$ 41.25
	\$ 7.75	\$ 581.25	\$ 8.25	\$ 618.75
	\$ 7.75	\$ 387.50	\$ 8.25	\$ 412.50
	\$ 18.00	\$ 36.00	NO BID	
	\$ 7.75	\$ 775.00	\$ 8.25	\$ 825.00
	\$ 7.75	\$ 1,356.25	\$ 8.25	\$ 1,443.75
	\$ 7.75	\$ 968.75	\$ 8.25	\$ 1,031.25
	\$ 2.60	\$ 39.00	NO BID	
	\$ 2.60	\$ 39.00	NO BID	
	pots	\$ 1.06	\$ 339.20	NO BID
\$ 7.75		\$ 310.00	\$ 8.25	\$ 330.00
\$ 7.75		\$ 46.50	\$ 8.25	\$ 49.50
\$ 7.75		\$ 38.75	\$ 8.25	\$ 41.25
\$ 7.75		\$ 1,162.50	\$ 8.25	\$ 1,237.50
\$ 7.75		\$ 387.50	\$ 8.25	\$ 412.50
\$ 7.75		\$ 775.00	\$ 8.25	\$ 825.00
\$ 7.75		\$ 775.00	\$ 8.25	\$ 825.00
\$ 7.75		\$ 1,550.00	\$ 8.25	\$ 1,650.00
\$ 7.75		\$ 38.75	\$ 8.25	\$ 41.25
\$ 7.75	\$ 38.75	\$ 8.25	\$ 41.25	
\$ 9,683.45		\$ 9,957.75		
NET 30		NET 30		
BLANK		LIVE, WELL ROOTED GROWING PLANTS		
AS PER SPECIFICATIONS				
ONE LOT PRICING		BLANK		

NO BIDS:

Davey Tree
Mueller's Sunrise Nursery

** DENOTES LOW BIDDER

ATTEST:

Ron Hynd
Cheryl Morrell
Linda Bockstanz

Jeanette Bennett
Purchasing Director

Opening Date-- 12/18/01
 Date Prepared-- 12/28/01

CITY OF TROY
 BID TABULATION
 ANNUAL FLOWERS/BEDDING PLANTS

SBP 01-44
 Pg 2 of 2

VENDOR NAME:

TOMS LANDSCAPING INC

EST QTY	UNIT	SPECIES	UNIT COST	TOTAL COST	UNIT COST	TOTAL COST
5	48/flat	Ageratum	\$ 11.00	\$ 55.00		
75	48/flat	Alyssum - White	\$ 11.00	\$ 825.00		
50	48/flat	Alyssum - Blue	\$ 11.00	\$ 550.00		
1	32/flat	Asparagus Fern	\$ 30.00	\$ 30.00		
100	48/flat	Begonia - White/Bronze	\$ 11.00	\$ 1,100.00		
175	48/flat	Begonia - Red/Bronze	\$ 11.00	\$ 1,925.00		
125	48/flat	Dusty Miller	\$ 10.00	\$ 1,250.00		
15	6" pots	Kale	\$ 30.00	\$ 450.00		
15	6" pots	Cabbage	\$ 30.00	\$ 450.00		
10	32/flat	Geranium, Seed, Red	\$ 36.00	\$ 360.00		
40	48/flat	Impatiens - mixed colors	\$ 12.00	\$ 480.00		
6	48/flat	Impatiens - salmon blush	\$ 12.00	\$ 72.00		
5	48/flat	Impatiens - olympia pink	\$ 12.00	\$ 60.00		
150	48/flat	Nicotiana -Starship mixture	\$ 11.00	\$ 1,650.00		
50	48/flat	Petunia - Deep purple	\$ 10.00	\$ 500.00		
100	48/flat	Petunia - Blue	\$ 10.00	\$ 1,000.00		
100	48/flat	Petunia - Dark Pink	\$ 10.00	\$ 1,000.00		
200	48/flat	Saliva X Superba - blue	\$ 10.00	\$ 2,000.00		
5	48/flat	Salvia - White	\$ 10.00	\$ 50.00		
5	48/flat	Salvia - Red	\$ 10.00	\$ 50.00		
ESTIMATED GRAND TOTAL:			\$ 13,857.00			
TERMS			NET 30 DAYS			
WARRANTY			30 DAYS FROM PURCHASE			
DELIVERY			AS PER SPECIFICATIONS			
EXCEPTIONS			BLANK			

ADVANCED IRRIGATION SYSTEMS INC
1183 COMBERMERE
TROY MI 48083-2701

BOGIE LAKE GREENHOUSES
1525 BOGIE LAKE ROAD
WHITE LAKE MI 48383-2727

BORDINE NURSERY
1835 S ROCHESTER ROAD
ROCHESTER MI 48307-3533

BRAINER'S GREENHOUSE
51701 GRAND RIVER
WIXOM MI 48393

C & H LANDSCAPE
5220 WILLIAMS LAKE ROAD
WATERFORD MI 48329-3556

CLYDE SMITH & SONS GREENHOUSE
8000 N NEWBURGH
WESTLAND MI 48185-1153

DENEWITH'S GREENHOUSE
16125 22 MILE ROAD
MACOMB TOWNSHIP MI 48044-1503

DINO'S LANDSCAPING
7520 PONTIAC TRAIL
WEST BLOOMFIELD MI 48323

DINSERS GREENHOUSE
24501 DINSER DRIVE
NOVI MI 48374

DISCOUNT TREES
1808 HAGADORN RD
MASON MI 48854

HESSELL'S GREENHOUSE
14497 23 MILE ROAD
SHELBY TOWNSHIP MI 48315-2917

HILLSIDE GREENHOUSE
5115 FISHER ESTATES
ROMEO MI 48065

KDS LANDSCAPE
156 W MOREHOUSE
HAZEL PARK MI 48030

MANTHEY'S GREENHOUSE
16520 22 MILE ROAD
MACOMB TOWNSHIP MI 48044-1504

MARINE CITY NURSERY COMPANY
P O BOX 189
MARINE CITY MI 48039

MICHAEL'S FARMS & GREENHOUSES
16055 PRATT ROAD
ARMADA MI 48005

MICHAEL'S FARMS & GREENHOUSES
49915 HAYES ROAD
SHELBY TOWNSHIP MI 48315

MIDWEST LANDSCAPE GROUP INC
5470 HURON HILLS DR
COMMERCE MI 48382

MUELLERS SUNRISE NURSERY INC
4343 TWENTY-FOUR MILE ROAD
SHELBY TOWNSHIP MI 48316-3011

RAKAS LANDSCAPING
2922 INDUSTRIAL ROW
TROY MI 48084

S & T LAWN & LANDSCAPE INC
5580 GATEWOOD STE 106
STERLING HEIGHTS MI 48312

SEMRAU GARDEN CENTER
23751 GRATIOT
EASTPOINTE MI 48021

SHEMIN NURSERIES INC
900 FEATHER STONE ROAD
PONTIAC MI 48342

THE DAVEY TREE EXPERT COMPANY
3381 LAPEER ROAD WEST
AUBURN HILLS MI 48326

THEISEN GREENHOUSE
11757 HILL ROAD
MEMPHIS MI 48041

TOM'S LANDSCAPE NURSERY
4086 ROCHESTER ROAD STE 102
TROY MI 49098

DATE: December 28, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance and Administration
Jeanette Bennett, Purchasing Director
Cynthia A. Stewart, Community Affairs Director

Subject: Standard Purchasing Resolution 1: Award To Low Bidder –
Television Production Truck

RECOMMENDATION

On November 15, 2001, bid proposals were opened to furnish a television production truck in accordance with the specifications. After reviewing the proposal, the Community Affairs Department recommends awarding a contract to the sole bidder, Gerling & Associates, Inc. at an estimated total cost of \$103,393.00.

In addition, staff requests authorization to reject the Optional On-Site Equipment Warranty and Maintenance contracts. Gerling & Associates' standard warranty is one year. The van only is warranted bumper to bumper for 36 months or 36,000 miles. The standard warranty extends beyond one year for Body Integrity (4 years) and Paint (2 years). The Fleet Maintenance Division will maintain the vehicle.

BACKGROUND INFORMATION

Our current cargo van was never set up to be a cable production truck. It is strictly a cargo van. It lacks the correct shocks, mounts, proper insulation and environmental systems necessary for this type of truck. The current generator does not support the environment or the equipment. Our cable equipment is not properly protected or cushioned in this van. The Public Works Department – Fleet Maintenance Division will purchase our current vehicle for Kelley Blue Book Trade-In value and use somewhere within the City. It is a 1997 with low mileage. The new vehicle will be a custom-built cable production truck. Gerling & Associates recently built a cable production truck for Royal Oak and Ann Arbor.

BUDGET

Funds for this vehicle are available through the Community Affairs - CATV Municipal Cable Budget #401267.7978.010.

16 Bids Sent
3 Bids Received
2 No Bids

Prepared by: Cindy Stewart, Community Affairs Director

BOARDS AND COMMITTEES VACANCIES

The appointment of new members to all of the listed board and committee vacancies will require only one motion and vote by City Council. Council members submit recommendations for appointment. When the number of submitted names exceed the number of positions to be filled, a separate motion and roll call vote will be required (current process of appointing). Any board or commission with remaining vacancies will automatically be carried over to the next Regular City Council Meeting Agenda.

The following boards and committees have expiring terms and/or vacancies. Bold red lines indicate the number of appointments required:

Advisory Committee for Persons with Disabilities

Appointed by Council (9) - 3 years

Term expires 11-01-2003 (Alternate)

Term expires 11-01-2004

Term expires 11-01-2004

PHONE	NAME	ADDRESS	TERM EXPIRES
689-9098	Mary Ann Butler (Alternate)	1060 Glaser, 98	Nov. 1, 2003
526-3088B	Philip D'Anna	5149 Westmoreland, 98	Nov. 1, 2001
689-1457	Angela Done	2304 Academy, 83	Nov. 1, 2002
740-8983	Nancy Johnson	1461 Lamb, 98	Nov. 1, 2003
813-9575	Leonard Bertin	5353 Rochester, 98	Nov. 1, 2002
258-2500B			
641-7764	Dick Kuschinsky	5968 Whitfield, 98	Nov. 1, 2004
313-496-2686B			
680-1233	Theodora House	301 Belhaven, 98	Nov. 1, 2003
641-3860	Sharon Lu (Student)	1749 Freemont, 98	July 01, 2002
528-3133	Nancy Sura, Ch	1436 Welling, 98	Nov. 1, 2001
696-2140B			
952-0484	Jerry Ong (Student)	1903 Fleetwood, 98	July 01, 2002
641-9538	John J. Rogers	5925 Whitfield, 98	Nov. 1, 2003
362-0671	Cynthia Buchanan (Alternate)	840 Huntsford, 84	Nov. 1, 2003
680-0325	Kul B. Gauri	5305 Greendale, 98	Nov. 1, 2002

Mr. Gauri was appointed as a regular member, therefore, an alternate position has become open.

Board of Canvassers

[Appointed by Council \(4\) - 4 years](#)

Unexpired term 12-31-2003

Term expires 12-31-2005

Term expires 12-31-2005

PHONE	NAME	ADDRESS	TERM EXPIRES
680-8870	Gary Kohut (D)	2414 John R Apt A203, 83	Dec. 31, 2001
879-9776	Mary Shiner(R)	5456 Patterson, 98	Dec. 31, 2001
879-0950	Rolland Ersin (D)	6301 Atkins, 98	Dec. 31, 2003
644-1038	Carole Webb (R)	2434 Hampton, 84	Dec. 31, 2003

Mr. Ersin has resigned

Mary Shiner wishes to be reappointed

Board of Review

[Mayor, Council Approval \(3\) - 3 years](#)

Term expires 1-31-2002

PHONE	NAME	ADDRESS	TERM EXPIRES
879-0531H 828-4303B	James Edward Hatch	5552 Larkins Dr., 98	Jan. 31, 2003
643-6653H 512-3110B	Frank J. Howrylak	3035 Newport Ct., 84	Jan. 31, 2003
647-3490	Eileen Turner	1810 Witherbee, 84	Jan. 31, 2002

Downtown Development Authority

[Mayor, Council Approval \(12\)- 4 years](#)

Term expires 9-30-2005

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
952-1952H 391-8185B 248-391-4895F	Michael W. Culpepper	1236 Autumn Dr.,98 mculpepp@auburnhills.org	Sept. 30, 2004
649-2924	Stuart Frankel	3221 W. Big Beaver, Ste. 106, 84	Sept. 30, 2003
879-2450	Philip Goy	380 Tara, 98	Sept. 30, 2001
879-6439H 526-0576B	William Kennis	249 W. Hurst, 98 100 W Big Beaver, Ste.200, 84	Sept. 30, 2002
642-1875H 680-7180W 248-680-7181F	Alan M. Kiriluk , Ch	Kirco Development Corp 101 W. Big Beaver, Ste.200, 84	Sept. 30, 2004
827-4600B	G. Thomas York	Forbes/Cohen Properties 2800 W Big Beaver, 84	Sept. 30, 2004
524-3244W 641-7999H 248-689-7210F	Daniel MacLeish	Macleish Building, Inc. 650 E. Big Beaver, Ste. F, 84	Sept. 30, 2005
258-5734H 689-8081B 248-689-8651F	Clarke B. Maxson	1091 Oxford, Birmingham, 09 Midwest Guaranty Bank 201 W. Big Beaver Ste. 125, 84	Sept. 30, 2003
260-0061W 248-260-0077F	Nick Najjar	3150 Livernois Ste 175, 83	Sept. 30, 2005
879-8695	Carol A. Price	6136 Sandshores, 98	Sept. 30, 2003
879-6033	Ernest C. Reschke	6157 Walker, 98	Sept. 30, 2002
879-2646 H 689-6555 B	Douglas J. Schroeder	2783 Homewood Dr., 98	Sept. 30, 2002
879-3896H 248-879-3896F 248-709-0383C	Matt Pryor	6892 Coolidge, 98	Sept. 30, 2002

Mr. Goy wishes to be reappointed

Historic District Commission

Appointed by Council (7)- 3 years

Term expires 3-01-2004

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-9494H 366-1224B	Marjorie A. Biglin	5863 Cliffside, 98	March 1, 2004
689-7031	Kevin Danielson	210 Paragon, 98	May 15, 2003
619-7119H 362-2888B	David J. Eisenbacher	1863 Lakewood, 83	March 1, 2002
645-2187H	Paul C. Lin	1599 Witherbee, 84	May 15, 2003
828-0618	William G. Martin, Ch. (Resigned)	138 E. Square Lake, 98	March 1, 2004
524-1874H	Jacques O. Nixon	1035 Milverton, 83	March 1, 2002
689-0516	Dorothy Scott	129 Belhaven, 98	May 15, 2003

Mr. Martin has resigned effective 10/21/01.

Historical Commission

Appointed by Council (7)- 3 years

Term expires 7-01-2002 (Student)

Term expires 7-31-2004

		ADDRESS (Voters)	TERM EXPIRES
879-0195	Edward Bortner	193 Hurst, 98	July 31, 2002
649-5074H 810-497-5333B	Roger Kaniarz	4350 Stonehenge, 98	July 31, 2002
879-8659	Cynthia Kmett	1168 Snead, 98	July 31, 2001
641-1962	Rosemary Kornacki	4648 Rivers Edge, 98	July 31, 2002
269-9087	Sucheta Sikdar (Student)	683 Sylvanwood, 98	July 01, 2002
828-3632H 753-2408B	Kevin Lindsey	6890 Norton, 98	July 31, 2003
879-6567	Muriel W. Rounds	6291 Ledwin, 98	July 31, 2003
689-1249	Brian J. Wattles	3864 Livernois, 83	July 31, 2004

Cynthia Kmett **does not** wish to be reappointed.

Library Committee

Appointed by Council (5) - 3 years

Term expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
643-7152H 313-226-8614B	David Cloyd	1737 Chatham Dr., 84	Apr. 30, 2003
689-6735	Margaret Gaffney	2467 London, 98	Apr. 30, 2002
641-0248	Michael Gladysz (Student)	4633 Riverchase, 98	Dec. 31, 2001
689-2623	Lynne R. Gregory	2244 Niagara, 83	Apr. 30, 2004
879-8045	Fern Nelsen	2567 Coral, 98	Apr. 30, 2002
641-8511	Nancy D. Wheeler, Pres.	5355 Beach, 98	Apr. 30, 2004

Liquor Committee

Appointed by Council (7) - 3 years

Term expires 7-01-2002 (Student)

Term expires 1-31-2002

Term expires 1-31-2002

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-0817H 689-5900W	Max K. Ehlert	6614 Northpoint, 98	Jan. 31, 2002
689-4614H 810 575-2648B	W. S. Godlewski	2784 Whitehall, 48098	Jan. 31, 2002
828-7436	James C. Moseley	1687 White Birch Ct., 98	Jan. 31, 2003
689-8092	James R. Peard	4549 Post, 98	Jan. 31, 2003
642-1887H 647-9099W	Thomas G. Sawyer, Jr., Ch.	895 Norwich, PO 99236, Troy 48099	Jan. 31, 2003
649-7480	David J. Balagna	1822 Wilmet, 98	Jan. 31, 2003
689-1099	John J. Walker	94 Evaline, 98	Jan. 31, 2003
641-8432	Jennifer Gilbert (Student)	4808 Rivers Edge, 98	July 1, 2001
524-3477	Capt. Dane Slater	Police Department	(Ex-officio)

Mr. Ehlert wishes to be reappointed

Municipal Building Authority

Appointed by Council (5)- 3 years

Term expires 1-31-2005

Term expires 1-31-2005

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
828-3995H 810-492-2885B	Robert J. Krokosky	944 Bridgetown, 98	Jan. 31, 2002
879-0797	John A. Gleeson	6186 Elmoor, 98	Jan. 31, 2002
524-3319	John M. Lamerato		Jan. 31, 2003
641-7510	Frank A. Taube III	2488 Tall Oak Dr. 98	Jan. 01, 2003
362-0813	William S. McCain Ch.	3767 Old Creek, 84	Jan. 31, 2003

Mr. Gleeson **does not** wish to be reappointed.
Mr. Krokosky wishes to be reappointed,

Planning Commission

Mayor, Approved by Council (9) - 3 years

Term expires 12-31-2004

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
524-9850	Gary G. Chamberlain	4850 Alton, 98	Dec. 31, 2002
689-1849	Jordan C. Keoleian (Student)	3709 Kings Point Dr, 83	July 01, 2002
952-5588 H 435-1712 B	Dennis A. Kramer	1903 Spiceway, 98	Dec. 31, 2003
879-8877H 649-1150B	Larry Littman	6867 Killarney, 98	Dec. 31, 2004
528-3848	Cynthia Pennington	1924 Westwood, 83	Dec. 31, 2002
689-3722	James E. Reece, Jr.	2915 Hill, 98	Dec. 31, 2001
524-2285	James H. Starr	2643 Arrowhead, 83	Dec. 31, 2002
879-8529	Walter A. Storrs, III	5676 Martell, 98	Dec. 31, 2003
642-9737	David T. Waller	2921 Townhill, 84	Dec. 31, 2003
641-7115 H 775-7710 B	Wayne C. Wright	2525 Homewood, 98	Dec. 31, 2004

Mr. Reece wishes to be reappointed.

Traffic Committee

Appointed by Council (7) – 3 years

Term expires 7-01-2002 (Student)

Term expires 1-31-2005

Term expires 1-31-2005

Term expires 1-31-2005

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-2319	David Allen (Student)	3755 Ledge Ct., 84	July 01, 2001
879-0103	John Diefenbaker	5697 Wright, 98	Jan. 31, 2003
879-0250H 663-5055B	Eric S Grinnell	406 E Square Lake, 84 MAIL TO: PO Box 99417 Troy MI 48099	Jan. 31, 2003
689-1223	Lawrence Halsey	663 Vanderpool, 83	Jan. 31, 2003
689-9401H (313)665-4284B	Jan L. Hubbell	1080 Glaser, 98	Jan. 31, 2002
524-1595	Richard A. Kilmer	62 Hickory, 83	Jan. 31, 2002
689-0217H 223-2303B	Michael Palchesko	36 Randall, 98	Jan. 31, 2002
524-9062H 689-2920B	Charles A. Solis, Ch.	1866 Crimson, 83	Jan. 31, 2003
524-3379	John Abraham	Traffic Engineer	(Ex-officio)
524-3443	Charles Craft	Police Chief	(Ex-officio)
524-3419	William Nelson	Fire Chief	(Ex-officio)

Mr. Palchesko **does not** wish to be reappointed.

Attendance: 6 Meetings, Hubbell present at 5; Kilmer present at all 6.

Troy Daze Committee

Appointed by Council (9) - 3 years

Term expires 7-01-2002 (Student)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
528-0155 H 322-9813B	Robert A. Berk	726 Thurber, 98	Nov. 30, 2003
879-9030H 879-0272B	Sue Bishop	6109 Emerald Lake, 98	Nov. 30, 2004
528-1551	Jim D. Cyrulewski.	626 Randall, 98	Nov. 30, 2004
689-9244	Cecile Dilley	2722 Sparta, 83	Nov. 30, 2004
828-8084	Kessie Kaltsounis	6798 Jasmine, 98	Nov. 30, 2002
879-6958H 354-3710B	Richard L. Tharp	6881 Westaway Dr.98	Nov. 30, 2003
649-4345H 944-5968B	William F Hall	1891 Kirts, Apt 215, 84	Nov. 30, 2002
689-2074H 569-8454B	Jeffrey Stewart (Repr to Parks/Rec Board)	884 Hidden Ridge, 83	Sept. 30, 2003
879-3710	Eldon Thompson	6500 Denton, 98	Nov. 30, 2002
952-1732	Cheryl A Kaszubski	1878 Freemont, 98	Nov. 30, 2003
952-1763	Rebecca Mill (Student)	1478 Brentwood, 98	July 1, 2001

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-3896 879-3896 Fax	Matt Pryor, Mayor	6892 Coolidge, 48098	April, 2004
879-8898 879-8898 Fax	Robin Beltramini	6564 Parkview, 48098	April, 2004
643-6653 643-6653 Fax	Martin F. Howrylak	3035 Newport Ct, 48084	April, 2003
952-1732 649-3808B 952-1732Fax	Thomas S Kaszubski	1878 Freemont, 48098	April, 2002
879-5596H 800-262-6285B 734-629-0679F	David Lambert	1188 Player, 48098	April, 2004
879-6816 813-9875 Fax	Anthony N. Pallotta	6484 Elmoor, 48098-1898	April, 2003
879-0342 813-9746 Fax	Louise E. Schilling	6010 Canmoor, 48098-1817	April, 2002

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES

Appointed by Council (9)
3 years

9 Regular Members, 3 Alternates
(First Wednesday)

PHONE	NAME	ADDRESS	TERM EXPIRES
689-9098	Mary Ann Butler (Alternate)	1060 Glaser, 98	Nov. 1, 2003
248-526-3088B	Philip D'Anna	5149 Westmoreland, 98	Nov. 1, 2001
689-1457	Angela Done	2304 Academy, 83	Nov. 1, 2002
740-8983	Nancy Johnson	1461 Lamb, 98	Nov. 1, 2003
813-9575 258-2500B	Leonard Bertin	5353 Rochester, 98	Nov. 1, 2002
641-7764 313-496-2686B	Dick Kuschinsky	5968 Whitfield, 98	Nov. 1, 2004
680-1233	Theodora House	301 Belhaven, 98	Nov. 1, 2003
641-3860	Sharon Lu (Student)	1749 Freemont, 98	July 1, 2002
952-0484	Jerry Ong (Student)	1903 Fleetwood, 98	July 1, 2002
528-3133 248-696-2140B	Nancy Sura, Ch	1436 Welling, 98	Nov. 1, 2001
641-9538	John J. Rodgers	5925 Whitfield, 98	Nov. 1, 2003
362-0671	Cynthia Buchanan (Alternate)	840 Huntsford, 84	Nov. 1, 2003
680-0325	Kul B. Gauri	5305 Greendale, 98	Nov. 1, 2002

ADVISORY COMMITTEE FOR SENIOR CITIZENS
(First Thursday)

Appointed by Council (9)
3 Years

PHONE	NAME	ADDRESS	TERM EXPIRES
646-3267	Steven M. Banch	2731 W. Wattles, 98	Apr. 30, 2004
643-0158	Jane Crowe	1984 Muer, 84	Apr. 30, 2004
879-2887	Merrill W. Dixon	5974 Diamond, 98	Apr. 30, 2003
689-6572	Ed Forst	2731 Dover, 83	Apr. 30, 2004
879-6433	Marie Hoag	6408 Vernmoor, 98	Apr. 30, 2003
879-9314	Lawrence F. Jose	5581 Livernois, 98	Apr. 30, 2003
689-2210	David S. Ogg	3951 Forge, 48083	Apr. 30, 2002
689-2741	Josephine Rhoads	4226 Gatesford, 98	Apr. 30, 2002
828-7072	William Weisgerber	2475 Charnwood, 98	Apr. 30, 2002

ANIMAL CONTROL APPEAL BOARD

Appointed by Council (5)
3 years

PHONE	NAME	ADDRESS	TERM EXPIRES
879-0100	Harriet Barnard, Ch	5945 Livernois, 98	Sept. 30, 2002
1-800-428-1287 Day Time Only	Leith Gallaher	491 Troywood, 83	Sept. 30, 2003
879-6576	Kathleen Melchert	6385 Tutbury, 98	Sept. 30, 2004
643-6849	Warren Packard	4200 Beach, 98	Sept. 30, 2003
689-1697	Jayne Saeger	1740 Westwood, 83	Sept. 30, 2002

BOARD OF CANVASSERS

Appointed by Council (4)
4 years

PHONE	NAME	ADDRESS	TERM EXPIRES
680-8870	Gary Kohut (D)	2414 John R Apt A203, 83	Dec. 31, 2001
879-9776	Mary Shiner(R)	5456 Patterson, 98	Dec. 31, 2001
879-0950	Roland Ersin (D)	6301 Atkins, 98	Dec. 31, 2003
644-1038	Carole Webb (R)	2434 Hampton, 84	Dec. 31, 2003

BOARD OF REVIEW

Mayor, Council approval (3)
3 years

PHONE	NAME	ADDRESS	TERM EXPIRES
879-0531H 828-4303B	James Edward Hatch	5552 Larkins Dr., 98	Jan. 31, 2003
643-6653H 512-3110B	Frank J. Howrylak	3035 Newport Ct., 84	Jan. 31, 2003
647-3490	Eileen Turner	1810 Witherbee, 84	Jan. 31, 2002

BOARD OF ZONING APPEALS**(Third Tuesday)****(2 - Planning ; 1 Rep, 1 Alternate Rep for a 1 yr term)****Appointed by Council (7)**
3 years

PHONE	NAME	ADDRESS	TERM EXPIRES
879-1733	Kenneth L. Courtney Ch	P O Box 53, Troy, 48099-0053	Apr. 30, 2004
828-4361	Christopher Fejes	6475 Elmoor, 98	Apr. 30, 2003
689-8908H 879-3400B	Marcia Gies	4801 Heatherbrook, 98	Apr. 30, 2004
649-2115	Mark Maxwell	4164 Wentworth 98	Apr. 30, 2002
641-7582	Michael Hutson	2396 Ridge, 98	Apr. 30, 2003
879-5193H 458-5900 Ext 610B	Matthew Richard Kovacs	5621 Livernois, 98	Apr. 30, 2002
879-8529	Walter A. Storrs III (Plng. Rep)	5676 Martell, 98	Dec. 31, 2001
642-9737	David Waller (Alt. Plng Rep)	2921 Townhill, 84	Dec. 31, 2001

BROWNFIELD REDEVELOPMENT AUTHORITY**(Created 1999)****Mayor, Council Approval (7)**
3 years

PHONE	NAME	ADDRESS	TERM EXPIRES
641-8123	Arthur Cotsonika	5299 Beach, 98	Apr. 30, 2003
680-0400	Bruce J. Wilberding	3762 Boulder, 84	Apr. 30, 2004
879-0967	Victor Lenivov	1929 Hopedale Dr., 98	Apr. 30, 2004
879-8686 680-6583B	Leon E. Sowell	5845 Glasgow Ct., 98	Apr. 30, 2002
643-4433	Robert D. Swartz	3616 Balfour Dr., 84	Apr. 30, 2002
641-8511	Kenneth F Wheeler	5355 Beach Rd., 98	Apr. 30, 2002
828-7625 828-7082 Fax pmu51@hotmail.com	Lon M. Ullmann	5621 Willow Grove, 98	Apr. 30, 2003

BUILDING CODE BOARD OF APPEALS**(First Wednesday)****(Public Works Director – Ordinance; Building/Zoning Director- Ordinance,
Fire Chief – Ordinance, Oakland Cty Health Dept – Ordinance)****Chapter 79, Sec. 124.2 (5)**
5 years

PHONE	NAME	ADDRESS	TERM EXPIRES
689-0743	Theodore D. Dziurman, Ch	4228 Allegheny, 98	July 31, 2003
524-3492	William R. Need	Public Works Director	(Ordinance)
524-3419	William Nelson	Fire Chief	(Ordinance)
524-3344	Mark Stimac	Building and Zoning Director	(Ordinance)
424-7091	Ghazanfar Ali Shah	O.C. Health Department	(Ordinance)
424-7069	Thomas G. Smith	O.C. Health Department	(Ordinance)

CATV ADVISORY COMMITTEE**Appointed by Council (7)**
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
689-8176	Alex Bennett	1065 Arthur, 83	Sept. 30, 2003
879-8657	Jerry L. Bixby	6228 Crooks, 98	Feb. 28, 2003
689-3430	Michael J Farrug	6781 Little Creek Ct., 98	Nov. 30, 2002
689-2528	Richard Hughes	1321 Roger Ct., 83	Feb. 28, 2003
952-5179	Lusi Fang (Student)	1948 Freemont, 98	July 01, 2002
740-8920H 827-4065B	Penny Marinos	1128 Larchwood, 83	Feb. 28, 2004
879-0793	W. Kent Voigt	2620 Coral, 98	Feb. 28, 2004
649-6578	Bryan H. Wehrung	3860 Edgemont, 84	Feb. 28, 2002

CHARTER REVISION COMMITTEE**Appointed by Council (7)**
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-9449	Lillian Barno	1500 Three Lakes, 98	Apr. 30, 2003
649-6090 B	Daniel H. Bliss	3552 Edgemont, 84	Apr. 30, 2003
689-9463	Shirley Kanoza	2317 Niagara, 83	Apr. 30, 2004
433-1348	Diane Kasunic	3036 Oakhill, 84	Apr. 30, 2004
540-1606	Robert Noce	2850 Orchard Trail, 98	Apr. 30, 2003
649-2018	Mark R. Solomon	2109 Golfview, #102, 84	Apr. 30, 2002
588-5619	Cynthia A. Wilsher	369 E. Maple, 83	Apr. 30, 2002

CIVIL SERVICE COMMISSION (Act 78)**(1 – Mayor, 1 – Police and Fire Depts, 1 – Civil Service)****Appointed by Council (3)**
6 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-9308 H 734-525-4452 W 734-525-2686 Fax	David C. Cannon (Council)	3339 Medford, 84	Apr. 30, 2006
643-6002 W 810-215-9000M 643-4320 Fax	Donald E. McGinnis, Jr Ch. (Police/Fire)	1721 Crooks, 84	Apr. 30, 2004
641-1849H 313-442-6495B	Patrick Daugherty (Civil Service)	5512 Whitfield, 98	Apr. 30, 2002

DOWNTOWN DEVELOPMENT AUTHORITY**Mayor, Council Approval (12)**
4 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
952-1952H 391-8185B 248-391-4895F	Michael W. Culpepper	1236 Autumn Dr.,98 mculpepp@auburnhills.org	Sept. 30, 2004
649-2924	Stuart Frankel	3221 W. Big Beaver, Ste. 106, 84	Sept. 30, 2003
879-2450	Philip Goy	380 Tara, 98	Sept. 30, 2001
879-6439H 526-0576B	William Kennis	249 W. Hurst, 98 100 W Big Beaver, Ste.200, 84	Sept. 30, 2002
642-1875H 680-7180W 248-680-7181F	Alan M. Kiriluk , Ch	Kirco Development Corp 101 W. Big Beaver, Ste.200, 84	Sept. 30, 2004
827-4600B	G. Thomas York	Forbes/Cohen Properties 2800 W Big Beaver, 84	Sept. 30, 2004
524-3244W 641-7999H 248-689-7210F	Daniel MacLeish	Macleish Building, Inc. 650 E. Big Beaver, Ste. F, 84	Sept. 30, 2005
258-5734H 689-8081B 248-689-8651F	Clarke B. Maxson	1091 Oxford, Birmingham, 09 Midwest Guaranty Bank 201 W. Big Beaver Ste. 125, 84	Sept. 30, 2003
260-0061W 248-260-0077F	Nick Najjar	3150 Livernois Ste 175, 83	Sept. 30, 2005
879-8695	Carol A. Price	6136 Sandshores, 98	Sept. 30, 2003
879-6033	Ernest C. Reschke	6157 Walker, 98	Sept. 30, 2002
879-2646 H 689-6555 B	Douglas J. Schroeder	2783 Homewood Dr., 98	Sept. 30, 2002
879-3896H 248-879-3896F 248-709-0383C	Matt Pryor	6892 Coolidge, 98	Sept. 30, 2002

Student Representative position has been canceled due to a conflict of schedule's per Council on
11/20/00

ECONOMIC DEVELOPMENT CORPORATION**Mayor, Council Approval (9)**
6 years

PHONE	NAME	ADDRESS	TERM EXPIRES
879-5725H 313-225-9095B	Kenneth Bluhm	6187 Brittany Tree, 98	Apr. 30, 2006
641-7676 H 362-3600 B	Robert S. Gigliotti	2381 Hidden Pine, 98	Apr. 30, 2002
524-0877 H 524-3311 B	Leger (Nino) Licari	4533 Post, 98	Apr. 30, 2004
643-0332 H 739-4254 B	Michael Parker	2524 Kingston, 84	Apr. 30, 2007
641-7339H 879-0500B	Stuart F. Redpath	1679 Greenwich, 98	Apr. 30, 2003
649-9612H 205-2748B	James A Rocchio	2810 Waterloo, 84	Apr. 30, 2003
689-7235	Charles Salgat, Ch	2651 Winter, 83	Apr. 30, 2004
362-5385 H 540-2300 B	John Sharp	3362 Muerknoll, 84	Apr. 30, 2003
645-5274H 524-3498B	Douglas Smith	874 Helston Bloomfield Hills, 48304	Apr. 30, 2005

ELECTION COMMISSION
(City Clerk – Charter)**Appointed by Council (3)**
1 year

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
952-5708 H	David C. Anderson (R)	2361 Oak Ridge, 98	Jan. 31, 2003
879-0912	Timothy Dewan (D)	6234 Crescent Way, 98	Jan. 31, 2003
524-3318	Tonni L. Bartholomew, Ch.	City Clerk	(Charter)

HISTORICAL COMMISSION
(Fourth Tuesday)**Appointed by Council (7)**
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-0195	Edward Bortner	193 Hurst, 98	July 31, 2002
649-5074H 810-497-5333B	Roger Kaniarz	4350 Stonehenge, 98	July 31, 2002
879-8659	Cynthia Kmett	1168 Snead, 98	July 31, 2001
641-1962	Rosemary Kornacki	4648 Rivers Edge, 98	July 31, 2002
269-9087	Sucheta Sikdar (Student)	683 Sylvanwood, 98	July 01, 2002
828-3632H 753-2408B	Kevin Lindsey	6890 Norton, 98	July 31, 2003
879-6567	Muriel W. Rounds	6291 Ledwin, 98	July 31, 2003
689-1249	Brian J. Wattles	3864 Livernois, 83	July 31, 2004

HISTORIC DISTRICT COMMISSION

(Third Tuesday)

(One member must be an architect)

Appointed by Council (7)**3 years**

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-9494H 366-1224B	Marjorie A. Biglin	5863 Cliffside, 98	March 1, 2004
689-7031	Kevin Danielson	210 Paragon, 98	May 15, 2003
619-7119H 362-2888B	David J. Eisenbacher	1863 Lakewood, 83	March 1, 2002
645-2187H	Paul C. Lin	1599 Witherbee, 84	May 15, 2003
828-0618	William G. Martin, Ch. (Resigned)	138 E. Square Lake, 98	March 1, 2004
524-1874H	Jacques O. Nixon	1035 Milverton, 83	March 1, 2002
689-0516	Dorothy Scott	129 Belhaven, 98	May 15, 2003

LIBRARY BOARD

(Second Thursday)

Appointed by Council (5)**3 years**

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
643-7152H 313-226-8614B	David Cloyd	1737 Chatham Dr., 84	Apr. 30, 2003
689-6735	Margaret Gaffney	2467 London, 98	Apr. 30, 2002
641-0248	Michael Gladysz (Student)	4633 Riverchase, 98	Dec. 31, 2001
689-2623	Lynne R. Gregory	2244 Niagara, 83	Apr. 30, 2004
879-8045	Fern Nelsen	2567 Coral, 98	Apr. 30, 2002
641-8511	Nancy D. Wheeler, Pres.	5355 Beach, 98	Apr. 30, 2004

LIQUOR COMMITTEE

(Second Monday)

(Captain, Police Department – Ex-officio)

Appointed by Council (7)**3 years**

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
879-0817H 689-5900W	Max K. Ehlert	6614 Northpoint, 98	Jan. 31, 2002
689-4614H 810 575-2648B	W. S. Godlewski	2784 Whitehall, 48098	Jan. 31, 2002
828-7436	James C. Moseley	1687 White Birch Ct., 98	Jan. 31, 2003
689-8092	James R. Peard	4549 Post, 98	Jan. 31, 2003
642-1887H 647-9099W	Thomas G. Sawyer, Jr., Ch.	895 Norwich, PO 99236, Troy 48099	Jan. 31, 2003
649-7480	David J. Balagna	1822 Wilmet, 98	Jan. 31, 2003
689-1099	John J. Walker	94 Evaline, 98	Jan. 31, 2003
641-8432	Jennifer Gilbert (Student)	4808 Rivers Edge, 98	July 1, 2001
524-3477	Capt. Dane Slater	Police Department	(Ex-officio)

MUNICIPAL BUILDING AUTHORITY
(Finance Director)

Appointed by Council (5)
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
828-3995H 810-492-2885B	Robert J. Krokosky	944 Bridgetown, 98	Jan. 31, 2002
879-0797	John A. Gleeson	6186 Elmoor, 98	Jan. 31, 2002
524-3319	John M. Lamerato		Jan. 31, 2003
641-7510	Frank A. Taube III	2488 Tall Oak Dr. 98	Jan. 01, 2003
362-0813	William S. McCain Ch.	3767 Old Creek, 84	Jan. 31, 2003

PARKS AND RECREATION BOARD
(Second Thursday)

Appointed by Council (9)
3 years

(School - 1 year, Senior - 1 year, Museum Bd. –1 Troy Daze -1)
Parks and Recreation Director – Ex-officio)

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
828-8940	Douglas M. Bordas, Ch.	5902 Cliffside, 98	Sept. 30, 2002
828-4361	Kathleen M. Fejes	6475 Elmoor, 98	Sept. 30, 2004
644-6744	John F. Goetz, Jr	2539 Black Pine, 98	Sept. 30, 2003
689-3794	Gary Hauff (School Rep)	3794 Wayfarer, 83	July 31, 2002
879-9314	Lawrence Jose (Sr. Rep.)	5581 Livernois, 98	Apr. 30, 2003
828-8084	Orestes (Rusty) Kaltsounis	6798 Jasmine, 98	Sept. 30, 2003
649-4948	Tom Krent	3184 Alpine, 84	Sept. 30, 2004
641-3860	Lucy Lu (Student)	1749 Freemont, 98	July 01, 2002
879-1466	Robert J. O'Brien	6285 Brookings, 98	Sept. 30, 2002
689-2074H 569-8454B	Jeffrey Stewart (Troy Daze Representative)	884 Hidden Ridge, 83	Sept. 30, 2003
524-3484	Carol Anderson	Parks & Rec. Dir.	(Ex-officio)

PERSONNEL BOARD

Appointed by Council (5)
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
313-964-2360B 248-670-4859Cell	Albert T Nelson, Jr	5846 Clearview, 98	Apr. 30, 2003
879-9710	Stephen Patrick, Jr., Ch.	5555 Whitehaven, 98	Apr. 30, 2003
879-7546	Ronald L. Tschirhart	357 Tara, 98	Apr. 30, 2002
952-5230	Jonathan V. Tavalin	5345 Corbin, 98	Apr. 30, 2002
879-8870	James E. Vanderbrink	6666 Whiting, 98	Apr. 30, 2003

PLANNING COMMISSION
(Second Tuesday)

Mayor, Council Approval (9)
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
524-9850	Gary G. Chamberlain	4850 Alton, 98	Dec. 31, 2002
689-1849	Jordan C. Keoleian (Student)	3709 Kings Point Dr, 83	July 01, 2002
952-5588 H 435-1712 B	Dennis A. Kramer	1903 Spiceway, 98	Dec. 31, 2003
879-8877H 649-1150B	Larry Littman	6867 Killarney, 98	Dec. 31, 2004
528-3848	Cynthia Pennington	1924 Westwood, 83	Dec. 31, 2002
689-3722	James E. Reece, Jr.	2915 Hill, 98	Dec. 31, 2001
524-2285	James H. Starr	2643 Arrowhead, 83	Dec. 31, 2002
879-8529	Walter A. Storrs, III	5676 Martell, 98	Dec. 31, 2003
642-9737	David T. Waller	2921 Townhill, 84	Dec. 31, 2003
641-7115 H 775-7710 B	Wayne C. Wright	2525 Homewood, 98	Dec. 31, 2004

RETIREMENT SYSTEM BOARD OF TRUSTEES
(Second Wednesday)
(3 – Employee, Finance Director – Ordinance, City Manager – Ordinance)

2 by Council, 3 by Members
3 years

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
589-1489	Robert Crawford (Emp.)	3103 N. Blair, R.O.	Dec. 31, 2002
549-8279	Mark Halsey (Emp.)	4230 Elmwood, R.O.	Dec. 31, 2003
979-1588	Thomas Houghton (Emp.), Ch	39736 Forbes, St. Hgts	Dec. 31, 2004
644-8310	Mark A. Calice (Council)	4235 Beach, 98	Dec. 31, 2003
879-6816	Anthony N. Pallotta (Council)	6484 Elmoor, 48098-1898	April 15, 2003
524-3319	John M. Lamerato	Finance Director	Ordinance
524-3330	John Szerlag	City Manager	Ordinance

TRAFFIC COMMITTEE**(Third Wednesday)****Traffic Engineer – Ex-officio, Police Chief – Ex-officio, Fire Chief – Ex-Officio)****Appointed by Council (7)****3 years**

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
649-2319	David Allen (Student)	3755 Ledge Ct., 84	July 01, 2001
879-0103	John Diefenbaker	5697 Wright, 98	Jan. 31, 2003
879-0250H 663-5055B	Eric S Grinnell	406 E Square Lake, 84 MAIL TO: PO Box 99417 Troy MI 48099	Jan. 31, 2003
689-1223	Lawrence Halsey	663 Vanderpool, 83	Jan. 31, 2003
689-9401H (313)665-4284B	Jan L. Hubbell	1080 Glaser, 98	Jan. 31, 2002
524-1595	Richard A. Kilmer	62 Hickory, 83	Jan. 31, 2002
689-0217H 223-2303B	Michael Palchesko	36 Randall, 98	Jan. 31, 2002
524-9062H 689-2920B	Charles A. Solis, Ch.	1866 Crimson, 83	Jan. 31, 2003
524-3379	John Abraham	Traffic Engineer	(Ex-officio)
524-3443	Charles Craft	Police Chief	(Ex-officio)
524-3419	William Nelson	Fire Chief	(Ex-officio)

TROY DAZE**(Fourth Tuesday)****Appointed by Council (9)****3 years**

PHONE	NAME	ADDRESS (Voters)	TERM EXPIRES
528-0155 H 322-9813B	Robert A. Berk	726 Thurber, 98	Nov. 30, 2003
879-9030H 879-0272B	Sue Bishop	6109 Emerald Lake, 98	Nov. 30, 2004
528-1551	Jim D. Cyrulewski.	626 Randall, 98	Nov. 30, 2004
689-9244	Cecile Dilley	2722 Sparta, 83	Nov. 30, 2004
828-8084	Kessie Kaltsounis	6798 Jasmine, 98	Nov. 30, 2002
879-6958H 354-3710B	Richard L. Tharp	6881 Westaway Dr.98	Nov. 30, 2003
649-4345H 944-5968B	William F Hall	1891 Kirts, Apt 215, 84	Nov. 30, 2002
689-2074H 569-8454B	Jeffrey Stewart (Repr to Parks/Rec Board)	884 Hidden Ridge, 83	Sept. 30, 2003
879-3710	Eldon Thompson	6500 Denton, 98	Nov. 30, 2002
952-1732	Cheryl A Kaszubski	1878 Freemont, 98	Nov. 30, 2003
952-1763	Rebecca Mill (Student)	1478 Brentwood, 98	July 1, 2001

***Board of Review
Committee of 3***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>
Hatch, James Edward	5552 Larkins Dr, 98	879-0531H 828-4303B	1/31/03	2/19/01
Howrylak, Frank J	3035 Newport Ct., 84	643-6653H 512-3110B	1/31/03	6/04/01
Turner, Eileen	1810 Witherbee, 84	647-3490	1/31/02	1/08/96

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Victoria Lang	2700 Dashwood, 83	589-3304	7/09/01 6/2003	7/23/01	
Walker, James	5356 Orchard Crest, 98	879-1223B	6/11/99 6/14/01 5/2003	7/09/01	

**CATV Advisory Committee
Committee of 7**

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>	<i>TimeApplied Term Limits</i>
Bennett, Alex	1065 Arthur, 83 MAIL TO: PO Box 346, 99	689-8176	9/30/03	10/25/88	3/01/99 11/6/00
Bixby, Jerry L	6228 Crooks, 98	879-8657	2/28/03	5/05/97	2/07/00
Farrug, Michael J	6781 Little Creek Ct, 98	689-3430	11/30/02	8/07/00	8/07/00
Hughes, Richard	1321 Roger Ct., 83	689-2528	2/28/03	2/17/97	1/17/00
Lusi Fang (Student)	1948 Freemont, 98	952-5179	7/01/02	9/10/01	N/A
Marinos, Penny	1128 Larchwood, 83	740-8920H 827-4065B	2/28/04	10/01/01	10/01/01
Voight, W Kent	2620 Coral , 98	879-0793	2/28/04	5/07/01	5/07/01
Wehrung, Bryan H	3860 Edgemont, 84	649-6578	2/28/02	2/18/91	3/01/99

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

**CATV Advisory Committee
Committee of 7**

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Butt, Shazad	5381 Clearview, 98	641-8505	7/13/00/6/26/01 5/2003	8/07/00 7/09/01	
Gauri, Kul B	5305 Greendale, 98	680-0325	8/26/99		Advisory Comm for Persons w/Disabilities
Godlewski, W S	2784 Whitehall, 85	689-4614H 456-2966B	12/28/01	1/07/02	Liquor Committee
Kuschinsky, Dick	5968 Whitfield, 98	641-7764H 313-496- 2686B	10/11/01	11/05/01	Advisory Comm for Persons w/Disabilities
Wattles, Brian J	3864 Livernois, 83	689-1249	7/10/01 6/2003	7/23/01	Historical Commission

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

***Liquor Advisory Committee
Committee of 7***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>	<i>TimeApplied Term Limits</i>
Balagna, David J	1822 Wilmet, 98	619-1472	1/31/03	1/31/01	1/31/01
Ehlert, Max K	1224 Hartwig, 98	879-0817	1/31/02	9/14/92	2/15/99
Gilbert, Jennifer (Student)	4808 Rivers Edge, 98	641-8432	7/01/01	6/19/00	
Godlewski, W S	2784 Whitehall, 98	689-4614H 810-575-2648B	1/31/02	6/21/99	6/21/99
Moseley, James C	1687 White Birch Ct, 98	828-7436	1/31/03	3/05/99	3/05/99
Peard, James R	4549 Post, 98	689-8092	1/31/03	2/16/98	1/08/01
Sawyer, Thomas G Jr	895 Norwich MAIL TO: PO Box 99236, 99	642-1887H 647-9099B	1/31/03	9/25/89	1/22/01
Walker, John J	94 Evaline, 98	689-1099	1/31/03	3/02/93	2/14/00
Captain Dane Slater	Police Department	524-3477			

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

***Liquor Advisory Committee
Committee of 7***

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Bennett, Alex	1065 Arthur, 83	689-8176	11/01/00	11/06/00	CATV Advisory
Deel, Ryan J	2926 Roundtree, 83	252-4588H 357-6610B	5/17/01/6/25/01 5/2003	5/21/01 7/09/01	
Hall, Patrick C	5363 Clearview, 98	641-4765H 952-0400B	1/26/01 5/2003	2/05/01	
Kovacs, Matthew	5621 Livernois, 98	879-5193H 458-5900B	1/08/01	1/22/01	Board of Zoning Appeals
Ukraine, Bohdan L	1895 Lyster Lane, 98	879-1361	1/30/01 5/2003	2/05/01	
Ziegenfelder, Peter F	3695 Forge Dr, 83	528-0237H 696-2277B	12/07/00 6/11/01 5/2003	12/18/00 07/09/01	

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

***Municipal Building Authority
Committee of 5***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>
Gleeson, John A	6186 Elmoor, 98	879-0797	1/31/02	11/03/97
Krokosky, Robert J	944 Bridgetown, 98	828-3995H 810-492-2885B	1/31/02	12/18/00
McCain, William S	3767 Old Creek, 84	362-0813	1/31/03	12/20/93
Taube, Frank A III	2488 Tall Oak, 98	641-7510	1/01/03	2/10/92
Lamerato, John M	Asst City Mgr/Finance Dir	524-3330	1/31/03	

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Bluhm, Kenneth	6187 Brittany Tree, 98	879-5725H 313-225-9095B	11/24/00	12/04/00	Economic Development
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Miesiak, Conrad	5373 Shrewsbury, 98	879-9238	12/11/00 12/2002	12/18/00	
Nicoletti, Paul J	3885 Estates, 84	203-7800B	9/28/99 9/2001		
Schultz, Robert M	883 Kirts Blvd, 84	362-2128H 827-2359B	1/15/01 1/2003	1/22/01	
Ziegenfelder, Peter F	3695 Forge Dr, 83	528-0237H 696-2277B	12/07/00 6/11/01 5/2003	12/18/00 07/09/01	

***Traffic Committee
Committee of 7***

<i>Presently Serving Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Term Expires</i>	<i>Original Appt Date</i>	<i>TimeApplied Term Limits</i>
Allen, David (Student)	3755 Ledge Ct., 84		7/01/01	12/04/01	
Diefenbaker, John	5697 Wright, 98	879-0103	1/31/03	1/07/85	1/08/01
Grinnell, Eric S	406 E Square Lake, 98 MAIL TO: PO Box 99417, 99	879-0250H 663-5055B	1/31/03	4/23/01	4/23/01
Halsey, Lawrence	663 Vanderpool, 83	689-1223	1/31/03	10/14/85	2/07/00
Hubbell, Jan L	1080 Glaser, 98	689-9401H 313-665-4284B	1/31/02	1/08/90	3/01/99
Kilmer, Richard A	62 Hickory, 83	524-1595	1/31/02	5/10/99	5/10/99
Palchesko, Michael A	36 Randall, 98	689-0217H 223-2303B	1/31/02	8/14/95	3/01/99
Solis, Charles A	1866 Crimson, 83	524-9062H 689-2920B	1/31/03	9/26/94	1/08/01
Abraham, John	Traffic Engineer				
Craft, Charles	Police Chief				
Nelson, William	Fire Chief				

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

***Traffic Committee
Committee of 7***

<i>Interested Citizens Name</i>	<i>Address</i>	<i>Telephone Numbers</i>	<i>Date Received</i>	<i>Sent To Council</i>	<i>Currently Serving</i>
Deel, Ryan J	2926 Roundtree, 83	252-4588H 357-6610B	5/17/01/6/25/01 5/2003	5/21/01 7/09/01	
Howrylak, Frank J	3035 Newport Ct, 84	643-6653H 512-3110B	4/05/01	4/09/01	Board of Review
Hrynik, Thomas F	2828 Orchard Trail, 98	642-4534	10/01/00 6/14/01 5/2003	11/06/00 7/19/01	
Kasunic, Diane	3036 Oakhill, 84	433-1348	7/19/00 3/22/01	8/09/00 4/09/01	Charter Revision Committee
Kovacs, Matthew	5621 Livernois, 84	879-5193H 458-5900B Ext 610	1/08/01	1/22/01	Board of Zoning Appeals
Kuschinsky, Dick	5968 Whitfield, 98	641-7764H 313-496-2686B	10/11/01	11/05/01	Advisory Committee Persons w/Disabilitie
Nicoletti, Paul J	3885 Estates, 84	203-7800B	11/97 9/2001		
O'Brien, Robert J	6285 Brookings, 98	879-1466			Parks and Recreation
Ogg, David	3951 Forge, 83	689-2210	2/09/99 4/16/01	4/23/01	Advisory Comm for Senior Citizens
Patel, Shreeti	43 Crestfield, 98	740-1231	10/24/00 10/2002	11/06/00	
Schultz, Robert M	883 Kirts Blvd, 84	362-2128H 827-2359B	1/15/01 6/19/01 5/2003	1/22/01 7/09/01	
Wilberding, Bruce J	3762 Boulder, 84	649-3073H 680-0400B	8/05/99		Brownfield Authority
Wright, Wayne C	2515 Homewood, 98	641-7115H 810-775-7710B	1/07/99		Planning Commission
Ziegenfelder, Peter	3695 Forge, 83	528-0237H 696-2277B	12/07/00 6/11/01 6/2003	12/18/00 7/09/01	

Each member shall not serve more than three consecutive terms, any portion of a term served shall constitute one full term and this resolution shall Apply only to terms starting after January 1, 1999 COUNCIL RESOLUTION # 98-540

November 26, 2001

W. S. Godlewski
2784 Whitehall
Troy MI 48098

Your appointment to the Liquor Committee will expire in January, 2002. Please indicate whether you wish to be **reappointed** to this committee and your interest (if any) in other Boards and Committees by completing the following form.

APPLICATION FOR BOARDS AND COMMITTEES

Thank you for your interest in serving on an Advisory Board or Committee. The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment. The application will be kept on file for **two** years. **(Please type or print)**

Date: 12/25/01Name: W. S. GODLEWSKIAddress: 2784 WHITEHALLCity: TROY Zip: 48085Home Phone Number: 248-689-4614Employer: EDSAddress: 660 SOUTH BLVD Phone: 248-456-2966Are you a registered voter in the City of Troy? YESHow long have you lived continuously in the City of Troy? 20 yearsHave you ever been convicted for anything other than a minor traffic violation? NO

Number the Advisory Boards or Committees for which you would like to apply:
(in order of preference - 1 = First Choice, 2 = second Choice, etc.)

- | | |
|---|---|
| <input type="checkbox"/> Advisory Committee for Persons with Disabilities | <input type="checkbox"/> Advisory Committee for Senior Citizens |
| <input type="checkbox"/> Animal Control Appeals Board | <input type="checkbox"/> Board of Canvassers |
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Board of Zoning Appeals |
| <input type="checkbox"/> Building Code Board of Appeals | <input checked="" type="checkbox"/> 2 CATV Advisory Committee |
| <input type="checkbox"/> Charter Revision Committee | <input type="checkbox"/> Civil Service Commission Act 78 |
| <input type="checkbox"/> Downtown Development Authority | <input type="checkbox"/> Economic Development Corporation |
| <input type="checkbox"/> Election Commission | <input type="checkbox"/> Historical Commission |
| <input type="checkbox"/> Historic District Commission | <input type="checkbox"/> Library Board |
| <input checked="" type="checkbox"/> 1 Liquor Committee | <input type="checkbox"/> Municipal Building Authority |
| <input type="checkbox"/> Parks & Recreation Board | <input type="checkbox"/> Personnel Board |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Retirement System Board of Trustees |
| <input type="checkbox"/> Traffic Committee | <input type="checkbox"/> Troy Daze Committee |

☒ I wish to be reappointed☐ I do not wish to be reappointed

F-1

Troy City Clerks Office

500 West Big Beaver

Troy MI 48084

248 524-3316

November 26, 2001

Robert J. Krokosky
944 Bridgetown
Troy MI 48098



Your appointment to the Municipal Building Authority will expire in January, 2002. Please indicate whether you wish to be **reappointed** to this committee and your interest (if any) in other Boards and Committees by completing the following form.

APPLICATION FOR BOARDS AND COMMITTEES

Thank you for your interest in serving on an Advisory Board or Committee. The purpose of this form is to provide the Mayor and City Council with basic information about residents considered for appointment. The application will be kept on file for **two years**. **(Please type or print)**

Date: _____

Name: _____

Address: _____

City: _____ Zip: _____

Home Phone Number: _____

Employer: _____

Address: _____ Phone: _____

Are you a registered voter in the City of Troy? _____

How long have you lived continuously in the City of Troy? _____

Have you ever been convicted for anything other than a minor traffic violation? _____

Number the Advisory Boards or Committees for which you would like to apply:
(in order of preference - 1 = First Choice, 2 = second Choice, etc.)

- _____ Advisory Committee for Persons with Disabilities
- _____ Animal Control Appeals Board
- _____ Board of Review
- _____ Building Code Board of Appeals
- _____ Charter Revision Committee
- _____ Downtown Development Authority
- _____ Election Commission
- _____ Historic District Commission
- _____ Liquor Committee
- _____ Parks & Recreation Board
- _____ Planning Commission
- _____ Traffic Committee

- _____ Advisory Committee for Senior Citizens
- _____ Board of Canvassers
- _____ Board of Zoning Appeals
- _____ CATV Advisory Committee
- _____ Civil Service Commission Act 78
- _____ Economic Development Corporation
- _____ Historical Commission
- _____ Library Board
- _____ Municipal Building Authority
- _____ Personnel Board
- _____ Retirement System Board of Trustees
- _____ Troy Daze Committee

☒ I wish to be reappointed

☐ I do not wish to be reappointed

F-1

**Application
STUDENT REPRESENTATIVES
ON CITY BOARDS AND COMMISSIONS**

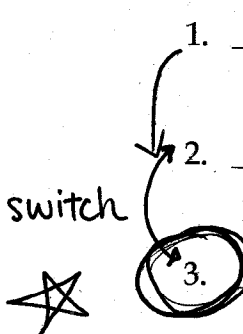
Name: Xin Li Grade: 11 Age: 16

Address: 5826 Faircastle Dr.

City: Troy Zip: 48098

Telephone: (248)641-0175 School: Troy High School

Using the attached listing of City boards and commissions, please list your top 3 choices, ranking your order of preference for appointment from 1 (being your first choice) to 3.

1. Historic District Commission
(name of board/commission)
2. Traffic Committee
(name of board/commission)
3. Troy Daze Committee
(name of board/commission)
- switch 

Please list your school activities and/or classes which would qualify you to sit on the boards or commissions of your choice:

American History AP, World History AP

Please list your involvement in extra-curricular and non-school activities:

Future Problem Solving; Math Club; Project LEAD (community service);
Students against Drunk Driving; Red Cross Youth Council; Relationships
Established Around Christ's Hope (REACH); volunteer greeter at Royal Oak
Beaumont Hospital, Indus Center for Academic Excellence

→ I am the public relations / announcements officer for REACH.

What personal skills and characteristics do you possess that would make you a good representative?

I see myself as a friendly and agreeable person who enjoys new
experiences that challenge me in all ways. I have personal opinions but
I also remain open-minded other people's ideas and suggestions.

How would you be able to schedule your time to function effectively as a student representative?

Since the meeting hours won't interfere with my school and after
school activities, I can schedule my time wisely to become an efficient
student representative.

Would you be interested in being considered for any other boards if you are not selected for any of your top three choices?



Yes X No _____

Please include a short essay, (no more than 250 words typed or neatly handwritten) describing why the selection committee should choose you as a student representative to a board or commission. If selected, your essay will be part of your introduction to your board or commission.

Please include two letters of recommendation from adults who know you at school and who know your activities out of school.

Parent(s) Permission:

I give my permission for my son/daughter to seek the position of a representative to a City of Troy board or commission.

 
Parent Signature

12-08-2001
Date

Return application to:

**Cindy Stewart, Community Affairs Director
City of Troy
500 W. Big Beaver Rd.
Troy, MI 48064**

Essay

One school morning, I was casually flipping through *Troy Today* while eating breakfast. Suddenly, the phrase, “Students invited to volunteer for city boards and committees”, caught my attention. I also saw pictures of three of my friends’ on the same page. I had heard them talking about volunteering for city committees a while ago. Now here was an opportunity for me to do the same. I could not contain my excitement and woke up my mom at 6:45 in the morning to tell her about it.

As I am writing this, I am eager to share my enthusiasm once again. Being able to be a part of the city committee is a great opportunity. As a junior in high school, I believe I can meet the demands and responsibilities of this position. What is even more meaningful is that I could be representing my peers. If I am chosen, this means that I could be meeting new people, learning about new issues and encountering new challenges. What’s not to like? All I’m hoping for is that the selection committee will say that of me too.

Troy High School

Guidance and Counseling

4777 Northfield Parkway
Troy, Michigan 48098

Phone: 248/823-2715 • Fax: 248/823-2713

George O'Brien
Counselor

December 5, 2001

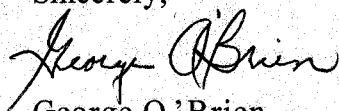
Dear Ms Stewart:

It is my pleasure to recommend Xin Li to serve as a Student Representative on the Troy City Commission Advisory Board. I have known Xin for three years and find her to be of excellent character, a diligent student, and very open to learning. I say this in all honesty because Xin loves to learn. She carries a 4.0 grade point average and is very involved in extracurricular activities. She asks questions, works well with others, but can be counted upon to work independently as well. Her work is consistently of the highest quality. Teachers remark about her ability to think like an adult but still maintain that precious quality of being a teenager.

This involvement in local government will be a great experience for Xin. She arrived in my office in a very excited stage and enthused about the opportunity to learn how the government works from the "inside". I feel if there is a student position available, she will be more than willing to give her best efforts and learn as much as possible from this tremendous opportunity.

If I may be of further assistance or if you need more information, please do not hesitate to call me at (248) 823-2841. I reserve my best recommendations for those students who have earned them and I'm pleased to give her my warmest and highest endorsement.

Sincerely,



George O'Brien
Counselor

Troy High School



William Beaumont Hospital
Royal Oak



William Beaumont Hospital
Royal Oak

3601 W. Thirteen Mile Rd.
Royal Oak, MI 48073-6769
(248) 551-6438
(248) 551-4321 FAX
email:smcewen@beaumont.edu

Sue McEwen
Greeter Program Coordinator
Customer Relations

December 7, 2001

To whom it may concern:

Xin Li has been a volunteer in the Greeter Program at William Beaumont Hospital, since May 25, 2001. She volunteers once a week, and has attained 47 hours as of this date.

Her duties include greeting customers in the lobby, helping them find there way around the hospital, walking them to their destinations, pushing wheelchairs when warranted, and answering any questions our customers may have.

Xin is a very dependable and outgoing young lady. She enjoys helping others, and works well with her fellow greeters, along with the staff here at Beaumont.

We are very pleased to have Xin in our program, and would recommend her for any kind of community service.

Thank you,
Sue McEwen

Greeter Coordinator
William Beaumont Hospital
248-551-6438
SMC

December 21, 2001

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary Shripka, Assistant City Manager/Services
Carol Anderson, Parks and Recreation Director

Subject: 2002 Magic of Fall/Troy Daze Festival

Recommendation

Staff recommends City Council approve the requests of the Troy Daze Advisory Committee for the 2002 Magic of Fall/Troy Daze Festival.

Background

The Troy Daze Advisory Committee is in the planning process for the 2002 Troy Daze festival. The Committee has proposed the following changes for the festival this year:

Pancake breakfast to begin at 9am instead of 8am on Saturday and Sunday.
Booths to open at 11am instead of 10am on Saturday and Sunday.

The Troy Daze Advisory Committee has always worked in cooperation with City staff and staff anticipates a successful event this year.

Date: January 14, 2002

To: Carol Anderson, Director of Parks and Recreation

From: Bob Berk, Chairman, Troy Daze Advisory Committee
Jim Cyrulewski, Chairman, Festival Committee

Subject: **Requests for 2002 Magic of Fall / Troy Daze Festival**

The Troy Daze Advisory Committee makes the following requests for the 2002 Magic of Fall / Troy Daze Festival.

1. Permission for use of Boulan Park for Thursday, September 12; Friday, September 13; Saturday, September 14; and Sunday, September 15, 2001. Hours in the park would be as follows:

Thursday	3:00 P.M. to	9:00 P.M.
Friday	4:00 P.M. to	11:00 P.M.
Saturday	9:00 A.M. to	11:00 P.M.
Sunday	9:00 A.M. to	9:00 P.M.

Please note that as has been the tradition for Saturday and Sunday, the 9:00 A.M. time is for the Pancake Breakfast. **For this year, the booths will open at 11:00 A.M. on both Saturday and Sunday.**

Monday, Tuesday, Wednesday, Thursday (prior to 5:00 P.M.) and Friday (prior to 4:00 P.M.), September 9, 10, 11, 12 and 13 respectively, will be needed for set-up.

5. Permission to conduct a Parade on Sunday, September 15 starting at 2 P.M. The route to be agreed upon with the Troy Police Department.
3. Request City assistance and waiver of the sign ordinance to place four foot by four foot signs on City and County property per Attachment 1 and installation of Festival banners on light poles on Big Beaver. Banners are requested to be in place by August 16. Signs are requested to be in-place by September 3. The committee would appreciate the process used regarding banners and sign installation be the same as the 2000 festival with the City Parks and Recreation Department coordinating installation.
4. Permission for use of loud speakers, portable lighting for grass parking areas and amplifiers at Boulan Park during the hours of the Festival.
5. Approval for control of all types of concessions at Boulan Park during the Festival. All Concessionaires will be given copies of pertinent city ordinances. Food Concessionaires will be required to obtain an Oakland County Health Department permit, provide the committee with proof of insurance naming the City of Troy as co-insured and pass an Oakland County Health Department inspection.
6. Waiver of licenses for mechanical rides and all other.
7. Permission to recognize and to have designated the winner of the Magic of Fall / Troy Daze Festival Pageant as Miss Troy and to affiliate the Pageant with the Miss Michigan USA Pageant.

8. Permission to seek Corporate Sponsors. For Corporate Sponsors given exclusive rights to sell/provide specific consumer products/services (including but not limited to pop, meat, phone, etc.), the Committee requests approval for control of all Festival participants either selling or giving away said products at all Magic of Fall/Troy Daze Festival functions.
9. Permission to have a maximum of five cold-air tethered balloons displayed by qualified Corporate Sponsors. A qualified Corporate Sponsor would be limited to one balloon. Balloons would only be used for advertising.
10. Permission to sell sign space in the Auto Show area. Businesses would have to supply own banners.
11. Permission to hold a 10K and 5K Race on Sunday, September 15 at 8:00 A.M. The routes for the races to be agreed upon with the Troy Police Department.
12. Permission to charge a mandatory three dollars (\$3.00) per car for parking during the Festival. This charge will be collected only once per car during the Festival. The charge will be collected from all vehicles (festivalgoers, Magic of Fall / Troy Daze Festival Committee personnel, booth participants, events' participants, etc.) wishing to park in Boulan Park, at Boulan Middle School and at Bemis Elementary School. Only exceptions would be those persons or categories of persons so designated by City Council by September 1, 2002.
13. Permission to have Northfield Parkway traffic light on Wattles turned on during the Festival.
14. Permission to have fireworks on Sunday, September 15, at 8:30 P.M. All details of holding a fireworks show would be agreed upon with the City Manager's Office and the Police, Fire, DPW and Parks and Rec. Departments. In addition City Council approval is needed.

If you have any question, please call Jim Cyrulewski at 734-665-3628 or Bob Berk at 313-322-9813.

Attachment

cc: Troy Daze Advisory Committee Members and City Liaisons

Note: Bold print denotes changes in item 1 from last year's request memo.

Rationale For Any Changes in Item 1.

Saturday Booth and Pancake Breakfast Start Times

Based on information presented at the Michigan Festival and Events Association regarding Festival goers attendance tendencies and our ride vendor experience, we plan to open the booths an hour later on Saturday and move the Pancake Breakfast opening an hour later on Saturday and Sunday.

Any questions regarding these items should be directed to Jim Cyrulewski (734-665-3628) or Bob Berk (313-322-9813).

Sign Locations

City Right of Way and Property

1. At Firefighters Park, facing the people exiting the park.
2. On the North fence of Sylvan Glen Golf Course at the corner of Square Lake and Rochester Road.
3. On Eastbound Wattles just before the entrance to Northfield Parkway.
4. On Westbound Wattles just before the entrance to Northfield Parkway.
5. At Boulan Park, facing the people exiting the park.
6. At Jaycee Park, facing the people exiting the park.
7. At Raintree Park, facing the people exiting the park.
8. At Flynn Park, facing the people exiting the park.

County Right of Way Sites

9. On Northbound Crooks just before Boulan Park entrance
10. On Southbound Crooks just before Boulan Park entrance.

November 8, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Lori Bluhm, City Attorney
Gary A. Shripka, Assistant City Manager/Services
William R. Need, Public Works Director

SUBJECT: Proposed Snow Emergency Ordinance

Over the years the department has received criticism for not having a snow emergency ordinance in place that would eliminate parking on City streets during winter storms.

The feeling is that an ordinance of this nature would increase our snow removal efficiency and improve the quality of the end product.

Ordinances of this nature have been proposed in the past but for various reasons have not been enacted.

With the number of requests from the public, indicating that this type of legislation is desirable, our staff has proposed a draft ordinance for your review, comment and consideration.

Proposed Ordinance Addition to Chapter 33 Public Right of Way

- 33.4.25 Snow Emergency, Parking Prohibition. The Director of Public Works shall have the authority to declare a snow emergency, and temporarily prohibit parking on any street, when weather conditions make it necessary to enact this parking restriction for snowplowing or other similar purposes.
- 33.4.25.01 The declaration of a snow emergency can be based on falling snow, sleet, or freezing rain, or on the basis of the US Weather Bureau or any other weather services.
- 33.4.25.02 Once in effect, the snow emergency will remain in effect until terminated by announcement of the director. This termination may be made when some of the conditions that gave rise to the parking prohibition no longer exist. The termination of snow emergency parking prohibitions may also be made on a street wide basis, once each street section has become substantially clean of snow and ice from curb-to-curb for the length of the entire block.
- 33.4.25.03 Each declaration made by the director concerning the snow emergency parking prohibition shall be announced by means of broadcasts, cablecasts, or telecasts from stations with a normal operating range covering the City of Troy.
- 33.4.25.04 Nothing in this section shall be construed to permit parking at any time or place where it is forbidden by any other ordinance in the City of Troy.
- 33.4.25.05 Authorized officials, including Troy police officers and police service aides, may remove or cause the removal and/or impounding of any vehicle found parked in violation of this ordinance, following established policies, procedures and requirements for vehicles illegally parked in the City of Troy.
- 33.4.25.06 During a declared snow emergency, the provisions of this ordinance shall take precedence over other conflicting provisions of any ordinance normally in effect.

December 13, 2001

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager
John Lamerato, Assistant City Manager – Finance/Administration
Doug Smith, Director of Real Estate and Development
Nino Licari, City Assessor

Re: Public Hearing For Texaco Ovonic Battery Systems, IDD & IFEC

Texaco Ovonic Battery Systems, LLC has requested that City Council consider them for an Industrial Facilities Tax Abatement (IFT), under Public Act 198 of 1974 (Plant Rehabilitation and Industrial Development Districts), and in concurrence with City Council Policy Resolutions 79-128, and 83-555, as amended on 12/18/00.

Texaco Ovonics is the leader in advanced battery development. They supply batteries for electric, and hybrid gas/electric automobiles. They are also a leader in research and development of on site storage cells that should eventually replace electric transmission lines.

Doug Smith, and Nino Licari toured the facilities at 1334 Maplelawn, in November of 2001. It is an extremely high technology plant. The majority of the equipment was designed specifically for their operation, and has no outside use in the open market.

They intend to spend 9.5 million dollars on equipment alone, in the next 3 years, and the total investment by Texaco will approach 150 million dollars.

Under wholly owned subsidiaries of the parent company (Ovonic, Ovonic Thermoelectric, Ovonic Image, United Solar, and Energy Conversion Devices) they have already been granted 7 tax abatements by the City of Troy. All but one of these has expired.

The equipment that they request the abatement on is so new, and advanced, and becomes obsolete so very quickly, that the company is only requesting an abatement for 8 years (keeping open the option to request the additional 4).

Staff recommends that the City Council establish two Public Hearings on February 4, 2002. The first, to establish an Industrial Development District (IDD) at 1334 Maplelawn.

The second hearing would be to consider granting an Industrial Facilities Exemption Certificate (IFEC) for the project. Both hearings will be contingent upon the City receiving a completed Application for Industrial Facilities Exemption Certificate by January 21, 2002.

Nino

Texaco Ovonic Battery Systems, LLC

November 27, 2001

Mr. John Szerlag
City Manager
City of Troy
500 West Big Beaver
Troy, Michigan 48084

RECEIVED

DEC 11 2001

**CITY OF TROY
CITY MANAGER'S OFFICE**

Re: 1334 Mapelawn Drive, Troy, MI
Request for Industrial Facilities Exemption Certificates

Dear Mr. Szerlag:

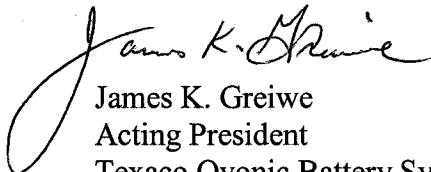
We at Texaco Ovonic Battery Systems, LLC request that the City of Troy grant to our joint venture Industrial Facilities Exemption Certificates for personal property to be acquired and installed in the above referenced property for the development and commercialization activities of our joint venture. We are specifically requesting that the Industrial Facilities Exemption be set at 50% of the otherwise applicable rate for a period of eight (8) years with the opportunity for renewal.

The Company intends to spend an estimate of \$9.5 million dollars over the next three years on fixed assets, of which 90% will be spent on High-tech equipment and the remainder on other equipment, such as leasehold improvements. In the upcoming year, the Company expects to have purchased and operational \$5 million of the total spending estimate.

In support of our request, I am enclosing copies of our July 18, 2001 Press Release which will give you additional information about our joint venture with Chevron/Texaco and Ovonic Battery Company.

Thank you for your help in this matter.

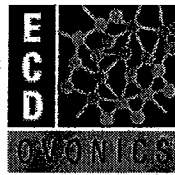
Very truly yours,



James K. Greiwe
Acting President
Texaco Ovonic Battery Systems, LLC.

1334 Mapelawn Dr.
Troy, MI 48084-5341

Ph: (248) 637-7400
Fax: (248) 637-7474



**TEXACO AND ECD ANNOUNCE JOINT VENTURE FOR WIDESPREAD
COMMERCIAL PRODUCTION OF ADVANCED, ENVIRONMENTALLY FRIENDLY
BATTERIES FOR HYBRID AND ELECTRIC VEHICLES**

Company will rapidly expand manufacturing facilities in Kettering, Ohio
and development facilities in Troy, Michigan

FOR IMMEDIATE RELEASE: WEDNESDAY, JULY 18, 2001.

TROY, MICH., July 18 - Texaco (NYSE:TX) and Energy Conversion Devices, Inc. (NASDAQ:ENER) today announced the formation of Texaco Ovonic Battery Systems, a new strategic alliance to bring advanced nickel metal hydride (NiMH) batteries into widespread commercial production as well as to further develop them for non-automotive applications. These batteries are used to power hybrid electric vehicles (HEVs) and electric vehicles (EVs), a market expected to grow rapidly over the next few years.

The alliance is a 50-50 joint venture between Texaco Energy Systems Inc. (TESI) and Ovonic Battery Company, Inc. (Ovonic Battery), a subsidiary of Energy Conversion Devices (ECD). ECD is the inventor of NiMH battery technology. These batteries have higher power, and a longer life than conventional batteries. The NiMH battery is the enabling technology for electric and hybrid electric vehicles across the automotive industry. Automotive manufacturers are including these batteries in the designs for their upcoming production models. In addition, maintenance-free NiMH batteries have reduced environmental impact, have longer life cycles and can be produced in high volume.

Funding from Texaco for NiMH battery related activities will total more than \$150 million over the next few years. The alliance will significantly increase its existing manufacturing facilities in Kettering, Ohio, and its development facilities in Troy, Mich. The companies also announced that Texaco Ovonic Battery Systems has agreed to a multi-million dollar investment in the development of production-ready prototypes of the new Ovonic NiMH monoblock battery, which is a compact design for high-voltage (36-42 volt) automotive electrical systems for future gasoline-powered automobiles.

"Texaco is committed to the development and marketing of energy technologies, and this venture is a key part of our strategy," said Texaco Senior Vice President William M. Wicker. "ECD has staked out a leadership position in nickel metal hydride batteries, and we intend to leverage the strengths of both ECD and Texaco to take advantage of the vast market opportunity in automotive, telecommunication and uninterruptible power supply (UPS) applications."

In a joint statement, Stanford R. Ovshinsky, ECD President and CEO, and Robert C. Stempel, ECD Chairman, said, "We are pleased to expand our relationship with Texaco, which has proven to be a leader in advanced energy development. With the projected growth in the HEV market, Texaco Ovonic Battery Systems looks forward to offering ECD's NiMH battery technology to the worldwide automotive market as well as developing it for non-automotive applications. These batteries are the batteries of choice for EVs and HEVs by automakers and we expect this battery market will grow significantly."

In 1992, the Department of Energy provided funding to a consortium of auto manufacturers to research and develop these batteries. "The Department of Energy's successful public-private partnership with ECD and Ovonic Battery to develop nickel metal hydride batteries for electric and hybrid vehicles has reached the exciting stage of commercialization," said Secretary of Energy Spencer Abraham. "This technology's improved range and good performance offers significant potential to help create a domestic advanced battery industry. I am particularly pleased Texaco and ECD will expand Ovonic's nickel metal hydride battery development facilities in Southeast Michigan and I am certain that ECD and Ovonic Battery's expertise and leadership can help sustain the nation's technological leadership."

General Motors has designated Texaco Ovonic Battery Systems as a preferred supplier for its NiMH battery requirements for EVs and HEVs and other automotive applications. In addition, GM and Texaco Ovonic Battery Systems are collaborating on a joint development program aimed at meeting GM's future automotive needs for NiMH batteries. On July 17, 2001, Texaco completed the purchase of GM's stake in GM Ovonic, the predecessor to Texaco Ovonic Battery Systems.

In addition to this alliance, Texaco and ECD are partners in Texaco Ovonic Fuel Cell Company LLC, a joint venture to further develop and advance the commercialization of the Ovonic Regenerative Fuel Cell™, and Texaco Ovonic Hydrogen Systems LLC, an alliance to further develop and market ECD's technology to store hydrogen in metal hydrides.

- xxx -

- more -

CONTACTS:

Energy Conversion Devices

Ghazaleh Koefod 248-280-1900

Texaco

Paul Weeditz 713-724-0497
Jennifer Silva 713-752-3854

Note to Editor:

In 1992, Ovonic Battery was awarded the first contract by the U.S. Advanced Battery Consortium (USABC), a partnership of the big three North American automakers with funding by the DOE and the Electric Power Research Institute (EPRI), to develop and demonstrate NiMH batteries for EV applications. Under the USABC program, an EV-1 (GM's all-electric vehicle) powered with Ovonic NiMH batteries was the first vehicle to achieve a range of over 220 miles on a single charge. The Partnership for a New Generation of Vehicles (PNGV), an industry-government partnership with automakers, suppliers, the DOE, the Department of Commerce, the Department of Defense and the national laboratories provided funding for development of HEV NiMH batteries. Ovonic Battery successfully demonstrated specially designed NiMH batteries with high power and extended cycle life for use in HEVs. The automotive industry has used them to demonstrate hybrid electric vehicles and they are now being designed into upcoming production models.

- #### -

ECD is the leader in the synthesis of new materials and the development of advanced production technology and innovative products. It has pioneered and developed enabling technologies leading to new products and production processes based on amorphous, disordered and related materials, with an emphasis on advanced information technologies and alternative energy, including photovoltaics, fuel cells, hydride batteries and hydride storage materials capable of storing hydrogen in the solid state for use as a feed stock for fuel cells or internal combustion engines or as an enhancement or replacement for any type of hydrocarbon fuel. ECD designs and builds manufacturing machinery that incorporates its proprietary production processes, maintains ongoing research and development programs to continually improve its products and develops new applications for its technologies. ECD holds the basic patents in its fields. ECD's web site address is <http://www.ovonic.com>.

Operating in over 150 countries worldwide, Texaco explores for and produces crude oil, natural gas and natural gas liquids; manufactures and markets high-quality fuels and lubricants; operates trading, transportation and distribution facilities; and produces alternate forms of technology for the conversion of coal, petroleum coke and other low-value hydrocarbons into a clean synthesis gas, which is used for the production of electric power as well as chemical products and industrial gases, including hydrogen. TESI, a wholly owned subsidiary of Texaco Inc., is focused on commercialization efforts in fuel cells and other advanced energy technologies, including the development of viable fuel-processing technology for fuel cells. In May 2000, Texaco acquired a 20-percent equity interest in ECD for \$67.4 million. The two companies have also formed Texaco Ovonic Fuel Cell Company LLC, a 50-50 joint venture to further develop and advance the commercialization of ECD's Ovonic Regenerative Fuel Cell™ and Texaco Ovonic Hydrogen Systems LLC, a 50-50 joint venture to further develop and advance the commercialization of ECD's technology to store hydrogen in metal hydrides. Texaco's web site address is <http://www.texaco.com>.

- more -

This press release contains a number of forward-looking statements within the meaning of the safe harbor provisions of the Private Securities Litigation Reform Act of 1995. In particular, statements made concerning Texaco's and ECD's expected performance and financial results in future periods are based upon Texaco's and ECD's current expectations and beliefs and are subject to a number of known and unknown risks and uncertainties that could cause actual results to differ materially from those described in the forward-looking statements. The following factors known to Texaco and ECD, among others, could cause their actual results to differ materially from those described in the forward-looking statements: inaccurate scientific data; mechanical, chemical and technological failures; decreased demand for alternative fuels and other products; above or below-average product and technology demands; worldwide and industry economic conditions; higher costs, expenses and interest rates; the outcome of pending and future litigation and governmental proceedings; continued availability of financing; and strikes and other industrial disputes. In addition, you are encouraged to review Texaco's and ECD's latest reports filed with the SEC, including, but not limited to, Texaco's Annual Report on Form 10-K filed with the SEC on March 26, 2001, which describes a number of additional risks and uncertainties that could cause actual results to vary materially from those listed in the forward-looking statements made in this press release.

RESOLUTION #83-555

WHEREAS, The growth and development of enterprises pioneering in high technology research and proto-type development and production is economic development and expansion which is assigned a high priority by the City Council of the City of Troy; and

WHEREAS, Equipment and instrumentation required to conduct basic high technology and research and proto-type development and production has an accelerated rate of depreciation due to technological obsolescence in an ever-changing scientific environment; and

WHEREAS, It has become common practice for other states and other communities to offer incentives for high technology research and development enterprises to establish facilities within their Jurisdictions by economic inducements, including tax reductions and/or tax abatement, which inducements are providing a competitive advantage to enterprises which are lured to those communities because of reduced overhead and a pricing advantage which increases their success in the market place.

NOW, THEREFORE, BE IT RESOLVED, By the City Council of the City of Troy, that upon compliance with the following standards and criteria, the City Council will accept for review and possible approval, applications for tax abatement on personal property as provided by Act 198 of the Public Acts of 1974, as amended:

- (1) That the applicant will engage in the research, proto-type development and production of high technology systems and products, the origin of which can be traced to the research and development efforts of enterprises situated within the City of Troy; and
- (2) That the applicant will engage in research and development activities which include the conjunctive use of some or all of the following: computers, semi-conductors, bio. genetics, super conductivity, thin film devices, advanced adoptive robotics, biomedical instrumentation and pharmaceuticals; and
- (3) That the estimated personal property value of all Troy-based equipment, machinery and instrumentation is of such capital intensity so as to exceed the value of real estate by a ratio of 3 to 1 at the time of application for said abatement; and
- (4) That more than one-half (1/2) of the personal property (by value) contained in the application shall be qualified for the shortest term of depreciation possible under Michigan tax laws and regulations; and

(5) That the product(s) of the applicant must be on the forefront of new scientific discovery. That is, the result of scientific discovery, through utilization of personal property which is addressed in the application, shall be embodied in the product or service produced.

BE IT FURTHER RESOLVED, That the following limits, conditions and stipulations are to apply to applications which are submitted to the City Council:

- (1) *That the tax exemption shall not apply to real property except those building improvements which are uniquely required to support research and development activities; and*
- (2) *That the tax exemption shall not apply to leasehold improvements or building improvements except those uniquely required to support research and development activities*
- (3) *That the tax exemption shall not apply to furniture and equipment commonly found in offices or businesses. Applications which include such furniture and equipment will be rejected.*
- (4) *The said abatement of taxes shall cease at such time as applicant fails to prove by factual evidence that such personal property is being used in compliance with the basic guidelines established above; and*

(Amendments per Resolution #84-840 in italics)

~~BE IT FURTHER RESOLVED, That applications that do not meet the previously listed criteria may be considered for tax abatements providing the following limits, conditions, and stipulations are met:~~

- ~~(1) The project is eligible for Michigan Economic Growth Authority (MEGA) incentives.~~**
- ~~(2) The project will generate capital expenditures for both Real and Personal Property of at least \$40 million.~~**
- ~~(3) The project will generate at least 500 new jobs in the City of Troy.~~**

~~(Amendments as of 02/07/00 in bold)~~ (Strikethrough repealed 12/18/00)

BE IT FINALLY RESOLVED, That the term of abatement for any and all **Real and Personal Property** shall not exceed 12 years, it being the intent of the City Council to approve various lengths of abatements to the extent provided by laws of the State of Michigan.

December 28, 2001

To: The Honorable Mayor and City Council

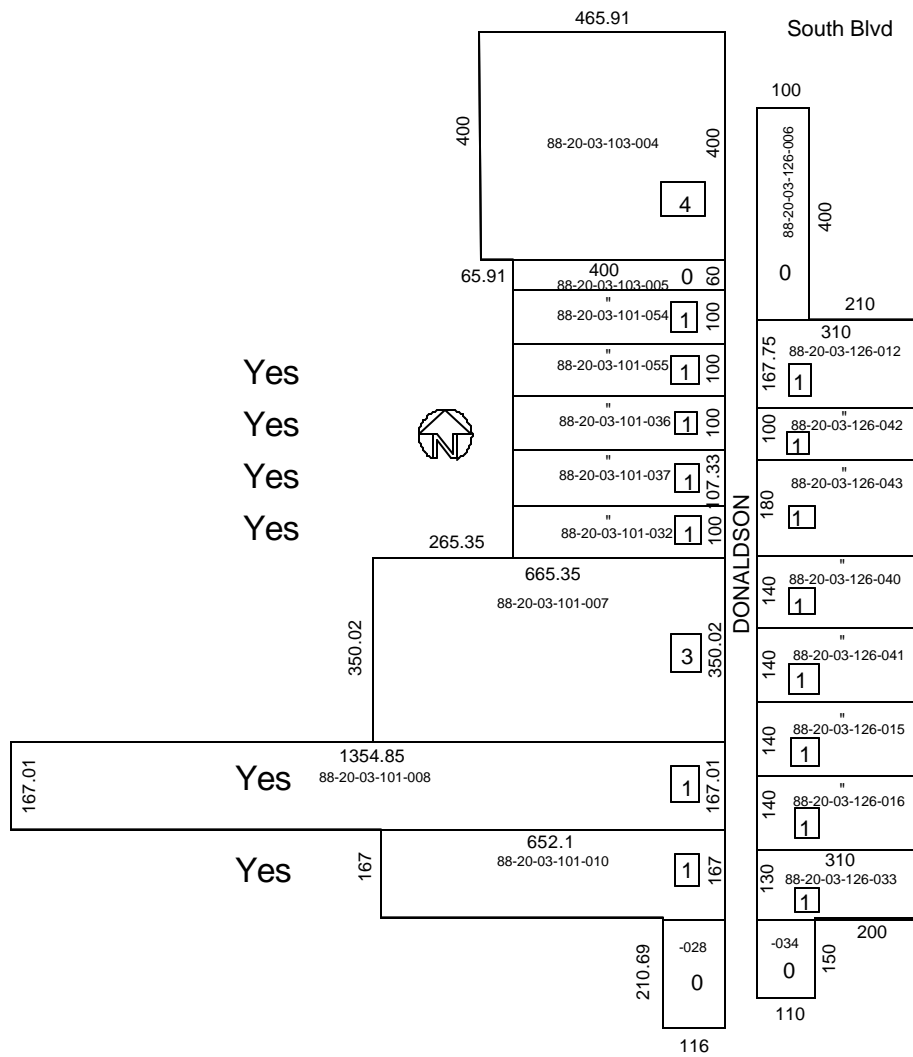
From: John Szerlag, City Manager
John Lamerato, Assistant City Manager – Finance/Administration
Gary Shripka, Assistant City Manager – Services
Steve Vandette, City Engineer
Nino Licari, City Assessor

Re: Petition Analysis, Paving of Donaldson SAD# 01.111.1

Attached is a petition from residents and property owners on Donaldson, in Section 3, requesting asphalt paving of the street, and the creation of a Special Assessment District to finance the project.

There are 22 assessable units in the project area. Thirteen of the affected unit owners have signed the petition in favor of the project. This equates to 59.1% of the owners being in favor of the paving.

It is recommended that City Council approve Standard Resolution #1 (preparation of plans and cost estimates for the project), Standard resolution #2 (approval of the cost estimates, and directing the Assessor to create the roll), and Standard Resolution #3 (setting a Public Hearing for the project) as submitted.



Special Assessment
#01.111.1
Donaldson
Asphalt Paving
22 Units
13 of 22
in Favor
(59.1%)

Yes
Yes
Yes
Yes

Yes
Yes
Yes
Yes
Yes
Yes
Yes

FEASIBILITY REPORT
Proposed Special Assessment

CITY ENGINEER'S REPORT TO CITY MANAGER AND CITY ASSESSOR

Project Number	<u>01.111.1</u>
Project Title	<u>Donaldson, Lovell to South Boulevard</u>
Project Location	<u>Section 3</u>
Description of Poposed Improvements:	<u>22' wide, 4 - 1/2" thick bituminous surfacing</u>
Preliminary Cost Estimate:	<u>\$295,432.00</u>
Proposed Portion of Cost to be Special Assessed:	<u>\$75,440.00</u>
Proposed Scheduling of Project:	<u>Summer 2002</u>
Plan and Cost Estimate could be completed in:	<u>120 days</u>
Is this project feasible?	<u>Yes</u>

Steven Vandette, City Engineer

Date

CITY ASSESSOR'S REPORT TO THE CITY MANAGER

Amount to be Special Assessed:	<u>\$75,439.98</u>
Amount to be General Assessed:	<u>\$219,992.02</u>
Total Cost:	<u>\$295,432.00</u>

	<u>BENEFIT METHOD</u>	<u>BENEFIT RATE</u>
Frontage	<u>2,737.33</u>	<u>\$27.5597</u>
Area	<u>N/A</u>	<u>N/A</u>
Unit (22)	<u>22.00</u>	<u>\$3,429.09</u>

Owners Signed	<u>13</u>	Percent of Total	<u>59.10%</u>
Frontage Signed	<u>1,739.09</u>	Percent of Total	<u>63.50%</u>
Occupied Units Signed	<u>13</u>	Percent of Total	<u>59.10%</u>

Is this Project feasible?	<u>Yes</u>
---------------------------	------------

Nino Licari, City Assessor

12/28/01
Date

PRELIMINARY COST ESTIMATE

11-16-01

Project Location: Donaldson, Lovell to South Blvd.

Project No.: _____

Proposed Improvement: 22' Wide Bit. Pavement with Underdrains

ITEM #	QUANTITY	DESCRIPTION	UNIT COST	TOTAL COST
1.	850 Tons	Bit. Mix No. 500, 20C - 3" Thick	49.00	41,650.00
2.	425 Tons	Bit. Mix No. 1100T, 20A - 1½" Thick	54.00	22,950.00
		Sub-total		64,600.00
		Engineering, Admin. and Contingencies		16,150.00
		Sub-total		80,750.00
		Maintenance Savings		-5,310.00
		Total Special Assessment Share		75,440.00
1.	1 L.S.	Remove Trees	5,000.00	5,000.00
2.	3 Each	Remove Field Basin	200.00	600.00
3.	5150 S.Y.	Grading	3.00	15,450.00
4.	50 C.Y.	Undercut and Crushed Concrete Backfill	30.00	1,500.00
5.	1350 Tons	21AA Aggregate for Base	11.00	14,850.00
6.	50 Tons	Bit. Mix No. 1100T, 36B - 4" Thick Drives	85.00	4,250.00
7.	500 Tons	21AA Aggregate for Shoulders	11.00	5,500.00
8.	10 Each	Relocate Mailbox Posts	50.00	500.00
9.	249 L.F.	12" C-76 CL-IV Storm Sewer, Tr. Det. B	59.50	14,815.50
10.	2567 L.F.	8" Diameter Underdrain	19.10	49,029.70
11.	10 Each	4' Dia. Catch Basin	900.00	9,000.00
12.	550 L.F.	12" CMP, 14 Gauge	20.00	11,000.00
13.	5,500 S.Y.	Turf Restoration	5.00	27,500.00
14.	40 Each	12" Metal End Section	70.00	2,800.00
15.	18 Each	2' Dia. Maintenance Basin	550.00	9,900.00
16.	1 Each	Reconstruct Drainage Structure	50.00	50.00
		Sub-total		171,745.20
		Engineering, Admin. and Contingencies		42,936.80
		Maintenance Savings		5,310.00
		Total - City's Share		219,992.00
		Total Project Cost		295,432.00

88-20-03-101-007 010
THOMAS, RICHARD
6825 DONALDSON
TROY MI 48085-1555
3 Units \$10,287.27

88-20-03-101-008 010
HERMIZ, SARMAD & AIDA
6763 DONALDSON
TROY MI 48085-1524
1 Unit \$3,429.09

88-20-03-101-010 010
HAVRILLA, JOHN & KAREN
6737 DONALDSON
TROY MI 48085-1524
Yes 1 Unit \$3,429.09 Yes

88-20-03-101-032 010
BEAUDETTE, DARYL & THERESA
6831 DONALDSON
TROY MI 48085-1555
1 Unit \$3,429.09 Yes

88-20-03-101-036 010
BARRY, MICHAEL
6875 DONALDSON
TROY MI 48085-1555
1 Unit \$3,429.09

88-20-03-101-037 010
JEFFERY, MARK & DEBORAH
6845 DONALDSON
TROY MI 48085-1555
Yes 1 Unit \$3,429.09 Yes

88-20-03-101-054 010
NOREN, MARK & BRENDA
6917 DONALDSON
TROY MI 48085
1 Unit \$3,429.09 Yes

88-20-03-101-055 010
MOS, IOAN & ANA
6899 DONALDSON
TROY MI 48085
1 Unit \$3,429.09

88-20-03-103-004 010
LAWOR, JAMES A
2780 THEDFORD
BLOOMFIELD HILLS MI 48304
Yes 4 Units \$13,716.36

88-20-03-126-012 010
MIKKELSON, CHARLES & KATHLEEN
6890 DONALDSON
TROY MI 48085-1553
1 Unit \$3,429.09 Yes

88-20-03-126-015 010
RUSSELL, NORMAN & DARLENE
6774 DONALDSON
TROY MI 48085-1525
1 Unit \$3,429.09

88-20-03-126-016 010
CHOPE, RONALD & LINDA
6750 DONALDSON
TROY MI 48085-1525
Yes 1 Unit \$3,429.09 Yes

88-20-03-126-033 010
CIANFARANI, MICHELE & MARIA
6730 DONALDSON
TROY MI 48085-1525
1 Unit \$3,429.09 Yes

88-20-03-126-040 010
BAILEY, MICHAEL L
6806 DONALDSON
TROY MI 48085-1553
1 Unit \$3,429.09

88-20-03-126-041 010
ANTONELLI, RODOLFO
6800 DONALDSON
TROY MI 48085-1553
Yes 1 Unit \$3,429.09 Yes

88-20-03-126-042 010
OWENS, ROGER
6862 DONALDSON
TROY MI 48085-1553
1 Unit \$3,429.09 Yes

88-20-03-126-043 010
HEEMSOTH, STEPHEN O
6836 DONALDSON
TROY MI 48085-1553
1 Unit \$3,429.09

Yes

Project Name **Donaldson, Lovell to S Blvd**

Project # **01.111.1**

**Amortization Table
10 Year**

int. @.06

Assessment \$3,429.09

Year	Principal	Interest	Payment	Balance
1	\$ 342.91		\$ 342.91	\$ 3,086.18
2	\$ 342.91	\$ 185.17	\$ 528.08	\$ 2,743.27
3	\$ 342.91	\$ 164.60	\$ 507.51	\$ 2,400.36
4	\$ 342.91	\$ 144.02	\$ 486.93	\$ 2,057.45
5	\$ 342.91	\$ 123.45	\$ 466.36	\$ 1,714.55
6	\$ 342.91	\$ 102.87	\$ 445.78	\$ 1,371.64
7	\$ 342.91	\$ 82.30	\$ 425.21	\$ 1,028.73
8	\$ 342.91	\$ 61.72	\$ 404.63	\$ 685.82
9	\$ 342.91	\$ 41.15	\$ 384.06	\$ 342.91
10	\$ 342.91		\$ 342.91	\$ (0.00)
TOTAL	\$ 3,429.09	\$ 905.28	\$ 4,334.37	

REQUEST FOR PUBLIC IMPROVEMENTS
(TO BE USED ONLY FOR SPECIAL ASSESSMENT IMPROVEMENTS)

To the Honorable,
the Mayor and City Council
Troy, Michigan

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

Bituminous paving on Donaldson, South Boulevard to Lovell, contingent on Community Development Block Grant funds being available for qualified households.

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made

	NAME	ADDRESS	DATE	SUBDIVISION	LOT #	TELEPHONE #
Yes	Rodolfo Antonio	6800 Donaldson	11-29-01	3-126-041		248 828 8037
Yes	Donaldson	"	11-29-01	3-126-041		"
Yes	Sarmad Herniz	6763 Donaldson	11-29-01	3-101-008 *		248 828 3404
Yes	Michael Baily	6875 Donaldson	11-29-01	3-101-036		
Yes	Michael Baily	6806 Donaldson	11-29-01	3-126-040		
Yes	Rodolfo Antonio	6890 Donaldson	11-29-01	3-126-012		248 813 9334
Yes	Charles Mikhela	6890 Donaldson	11-29-01	3-126-012		
Yes	Roger Cusum	6862 Donaldson	11-29-01	3-126-042		
Yes	Daryl Beaudette	6831 Donaldson	11-29-01	3-101-032		
Yes	Theresa Beaudette	"	"	3-101-032		
Yes	Archie E. Henry	6763 Donaldson	11-29-01	3-101-008 *		248 828 3404
Yes	John F. Hill	6737 Donaldson	11-29-01	3-101-010		248-877-1744
Yes	Karen J. Daulton	6737 Donaldson	11-29-01	3-101-010		248-877-1744
Yes	Paul L. Los	6899 Donaldson	11-29-01	3-101-055		248-877-1744
Yes	Anna M. Los			3-101-055		248 813-9238

In case of joint ownership, both husband and wife and/or other joint owner must sign. Affidavit on reverse side of this page must be filled out.

Assess
Eng

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made.

In case of joint ownership, husband and wife and/or other joint owner must sign. Affidavit on reverse side of this page must be filled out.

REQUEST FOR PUBLIC IMPROVEMENTS

To the Honorable,
the Mayor and City Council
Troy, Michigan

We, the undersigned, owners of property in the city of Troy to be benefited by the proposed improvements, description of which property and addresses are set forth opposite our respective names hereto, do hereby request the following public improvements to wit:

Bituminous paving on Lovell, Rochester Road to Norton, contingent on Community Development Block Grant funds being available for qualified households.

This request is not made for the purpose of initiating such improvement, but only for advising the City Council of our desire for such improvement and willingness to have our property assessed if the City Council, in the exercise of its discretion, orders such improvement to be made.

[illegible]

In case of joint ownership, both husband and wife and/or other joint owner must sign. Affidavit on reverse side of this page must be filled out.

By the Honorable
the Mayor and City Council
City of Troy

State of Michigan
County of Oakland

I, Michael Barry, being duly sworn, say that I reside at address 6875 Douglass; that I know of my own personal knowledge that each of the persons purporting to sign the foregoing request did sign the same and that all or said signers are property owners of the City of Troy.

Signed,

Michael Barry

Signed, subscribed and sworn to before me, a Notary Public, in and for said County this 21st day of December, 1999-2001

Signed,

Cecilia A. Brukwinski

My commission expires:

CECILIA A. BRUKWINSKI
Notary Public, Oakland County, MI
My Commission Expires June 18, 2002



January 3, 2002

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY

RE: PROPOSED BALLOT LANGUAGE - PENSION PRECLUSION

Under state statute, City Council is vested with the authority to place questions on the April ballot, provided that the specific proposed language is approved by a 3/5 vote of Council. In order to appear on the April 2002 municipal ballot, the specific ballot language must be approved on or before January 30, 2002. However, since the language must be forwarded to the Michigan Secretary of State and the Governor before printing, proposed language is submitted for your review at the January 7, 2002 City Council meeting.

Pursuant to an earlier resolution, the administration was directed to prepare proposed ballot language to amend the Troy Charter to preclude future Councils from changing the ordinances to provide for either pension or fringe benefits to elected council members. However, Troy has a unique situation, since volunteer firefighters receive a pension from the City, even though they are not technically employees. Based on this, proposed ballot language was reviewed by James D. Obermanns, an employment benefit attorney from Dykema Gossett PLLC.

The addition of language to Section 15.13 of the Troy Charter would preclude future City Council's from enacting a pension. The proposed addition is in bold italics:

15.13 Retirement and Pension System:

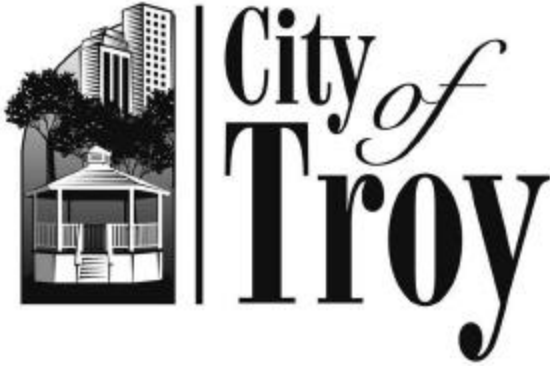
The Council may, by ordinance, provide for a retirement and pension system for any and all persons in the service of the City, ***except that these benefits shall not be offered to any board or committee member who does not qualify as an employee or former employee, or to any elected official of the City.***

Similarly, the addition of this language could also be added to Section 6.14 of the Charter:

Section 6.14. Employee Welfare Benefits: The Council shall have the power to make available to the administrative officers and employees of the city and its department and boards any recognized standard plan of group life, hospital, health or accident insurance ***except that these benefits shall not be offered to any board or committee member who does not qualify as an employee or former employee, or to any elected official of the City.***

Although alternate ballot language has been proposed to amend the title of Section 3.6 of the Charter, according to Section 15.8 of the Charter, "The chapter, section, and sub-section headings used in this Charter are for convenience only and shall not be considered as part of the Charter."

If you have any questions regarding the above, please let me know.



January 3, 2002

TO: MAYOR AND MEMBERS OF COUNCIL

FROM: LORI GRIGG BLUHM, CITY ATTORNEY
ROBERT F. DAVISSON, ASSISTANT CITY ATTORNEY

RE: TORPEY-EXERCISE OF OPTION TO PURCHASE

As you are aware, the City filed a condemnation action against T.J. Torpey Meat Market Inc. et. al, in conjunction with the Rochester Road widening project. A consent judgment was entered between the City and the remaining Torpey defendants, Dennis M. Torpey and David Cinader on September 7, 2000. This consent judgment provided defendants with "the option for a period of one year from the date of entry of judgment to purchase the property acquired by the City ... for the sum of \$245,000. "

On August 27, 2001, the City received a letter from the attorney for Torpey and Cinader, indicating their desire to exercise the option to purchase the property. A formal offer to purchase the property was received by the City on December 4, 2001, and is attached.

Our office has reviewed the attached offer to purchase, and have requested some modifications to the document. These modifications are agreeable to Dennis M. Torpey and David Cinader, as represented by their attorney.

It is our recommendation that the City Council accept the offer to purchase the remainder of parcel 38 A. If you have any questions concerning the above, please let us know.

**OFFER TO PURCHASE
CITY OF TROY
REAL ESTATE AND DEVELOPMENT**

1. The undersigned Purchasers, Dennis M. Torpey and David Cinder, as tenants in common, hereby offer and agree to purchase from the City of Troy the following land situated in the City of Troy, Oakland County, Michigan, described as follows:

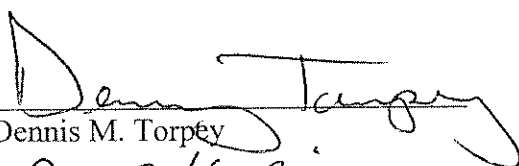

See Exhibit "A" attached hereto and made a part hereof.

2. The Purchasers shall pay the sum of Two Hundred Forty-Five Thousand (\$245,000.00) Dollars subject to the existing building and use restrictions, easements, zoning ordinances and other deed restrictions and conditions as specified herein.
3. The sale is to be consummated by delivery of the usual warrant deed conveying a marketable title. Payment of purchase money is to be made in cash or certified check, payable to the "City of Troy".
4. As evidence of title, Seller agrees to furnish Purchasers, as soon as possible, a Commitment for Title Insurance for information purposes. Purchase of title insurance shall be the option of the Purchasers at Purchasers' expense.
5. If this offer is accepted by the Seller and if title can be conveyed in the condition required hereunder, the Purchasers agree to complete the sale within fourteen (14) days after delivery of the commitment of title insurance.
6. If objection to the title is made in the Commitment for Title Insurance or based upon a written opinion of Purchasers' attorney after examination of the Abstract that the title is not in the condition required for performance hereunder, the Seller shall have thirty (30) days from the date he is notified in writing of the particular defects claimed either (1) to fulfill the requirements in said commitment or to remedy the title defects set forth in said attorney's opinion; or (2) to refund the deposit in full termination of this agreement or if unable to furnish satisfactory title. If the Seller is able to comply with such requirements, or remedy such defects within the time specified as evidenced by written notification, revised commitment or endorsement to commitment, the Purchaser agrees to complete the sale within ten (10) days of receipt hereof. If the Seller is unable to furnish satisfactory title within the time specified, the deposit shall be refunded forthwith in full termination of this agreement.
7. Purchasers understand and agree that, although the property being acquired may at the time of conveyance be tax exempt, upon acceptance of this offer to purchase, the property will be placed on the tax assessor's roll.

8. The covenants herein shall bind and inure to the benefit of their heirs, executors, administrators, successors and assigns of the respective parties.
9. By the execution of this instrument, the Purchasers acknowledge **THAT THEY HAVE EXAMINED THE ABOVE DESCRIBED PREMISES** and is satisfied with the physical condition of structures and/or land thereon.
10. The closing of this sale shall take place at the offices of the City of Troy unless otherwise agreed.
11. Purchaser agrees to comply with Troy City Council Resolution #85-254, a copy of which is attached, and understands that this sale is contingent upon City Council approval.
12. Deed Restrictions and Subsequent Conditions: The sale of this property is conditioned upon the following deed restrictions which shall be recorded at the time of sale and shall be binding upon the Purchasers, their heirs, executors, administrators, successors and assigns:
13. Additional Conditions:
 - (a) ~~The Seller agrees to assist Purchasers in any reasonable zoning requests made by the Purchasers.~~ *RTD per DS*
 - (b) Seller agrees, prior to closing, to remove the debris from the property, including, but not limited to, telephone poles and cement chunks, and to grade the property to its original state.

Date of Offer: December 4, 2001

PURCHASERS:


Dennis M. Torpey

David Cinder

Purchaser's Address/Telephone:

c/o Douglas J. Schroeder, Esq.
292 Town Center Drive
Troy, MI 48084
(248) 689-5700

TO THE ABOVE NAMED PURCHASERS

Acceptance of Offer. The foregoing offer is hereby accepted and the Seller agrees to sell said premises upon the terms stated.

Date of Acceptance: _____, 2001

SELLER:

CITY OF TROY

BY: _____

Its: _____

Sellers' Address/Telephone:

500 West Big Beaver Road
Troy, MI 48084
(248) 524-3320

EXHIBIT "A"

Section 23, Remainder Parcel 38-A Description
Part of 20-23-303-025
Owner: City of Troy

Description of Remainder of Parcel 38-A:

Part of the South West $\frac{1}{4}$ of Section 23, Town 2 North, Range 11 East, City of Troy, Oakland County, Michigan. Being more particularly described as follows:

Commencing at the West $\frac{1}{4}$ corner of Section 23, Town 2 North, Range 11 East; Thence, South 01 degrees 50 minutes 55 seconds East, along the existing right-of-way centerline of Rochester Road (M-150), 657.00 feet and North 87 degrees 49 minutes 00 seconds East 75.00 feet to the east right-of-way line of Rochester Road also being the Point of Beginning; Thence, continuing North 87 degrees 49 minutes 00 seconds East 142.76 feet; Thence, South 01 degrees 50 minutes 55 seconds East 119.18 feet; Thence, South 87 degrees 49 minutes 56 seconds West 142.76 feet to the east right-of-way line of Rochester Road; Thence, along said east line, North 01 degrees 50 minutes 55 seconds West 119.14 feet to the Point of Beginning. Containing 17,011 Square Feet or 0.391 Acres more or less. Reserving to the City of Troy, A Permanent Public Utility/Storm Sewer/Drainage & sidewalk easement, as described on attachment "A"; also, reserving to the City of Troy, a Temporary Grading Permit/Easement, until October 1st, 2001, as described in Attachment "B"

TABLED ITEMSRESOLUTION TO ESTABLISH POLICY GOVERNING DISPOSAL (SALE) OF EXCESS
RIGHT-OF-WAY

Resolution #85-254
 Moved by Liebrecht
 Supported by Stine

WHEREAS, The City Council of the City of Troy endeavors to attain the highest and best land use, effective growth control measures and to enhance the health, safety and welfare of the community; and

WHEREAS, Chapter 12 of the Troy City Charter requires that... "in all sales or purchases in excess of \$3,000, (a) the sales or purchases shall be approved by the City Council, (b) sealed bids shall be obtained, except where the City Council shall determine that an emergency exists or that the public interest will be best served without obtaining sealed bids...";

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy may determine that the public interest will best be served without obtaining sealed bids for the sale of remnant parcels which remain after required right-of-way is taken when a purchase agreement is offered to the City of Troy by a prospective buyer which:

- (1) Has submitted evidence of ownership or control of an assembly of adjoining land of sufficient size so as to achieve what is believed to be the best possible development as determined by the City Council after review and recommendation from the City Manager.
- (2) Has submitted a site plan which has been drawn to sufficient detail to indicate any and all features which are governed by codes of the City of Troy, said site plan shall not include variances from any code of the City of Troy.
- (3) Is accompanied by a petition for rezoning, if necessary, in compliance with the Master Land Use Plan of the City of Troy or as may be determined by the City Council of the City of Troy as being the most appropriate land use; and
- (4) Commits the prospective buyer to a purchase price at a value established by an appraiser named by the Right-of-Way Division of the City of Troy; and
- (5) Commits the buyer to construct or pay for the construction of any and all improvements to public facilities or private improvements as required by ordinances or design standards of the City of Troy; and
- (6) Is accompanied by architectural renderings of all buildings indicated on the site plan along with a description of building materials and methods to permit evaluation of building quality;
- (7) Is accompanied by a draft of proposed deed restrictions which will be imposed upon the purchaser of the City-owned property, the adjoining land included in the site plan and their assigns and successors which embodies all of the aforementioned requirements and conditions; and

BE IT FINALLY RESOLVED, That the City Council retains discretionary authority to determine the applicability of this policy.

Yeas: All - 7



Human Resources Department

Date: January 2, 2002

To: The Honorable Mayor and City Council

From: John Szerlag, City Manager

Peggy E. Clifton, Human Resources Director

Re: Proposed Council Resolution for Employee Reservists Called to Active Duty

RECOMMENDATION

City Administration supports and recommends adoption of a resolution authorizing the City Manager to provide any full-time employee who is called to active duty as a reservist with continuance of insurance benefits and to pay the difference between military pay and the active duty employee's current salary.

BACKGROUND

Since the national tragedy that occurred on September 11, 2001, the Military Reserve and National Guard have been mobilized. For employees who are called to active duty, employers are required to comply with state statutes and the Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994. This federal law defines the right of employees and the responsibility of employers related to military service.

The City of Troy recognizes its responsibility to support these employees while also maintaining a municipal work force. In addition, it is the desire of City management that those employees who are called to active duty not suffer a loss in regular pay or insurance benefits (including health insurance, disability insurance and life insurance) from what they would have received during their employment with the City of Troy. Therefore, the attached resolution is proposed.

Attachment
G:\Council\Resolution\Reservists.doc
PC02M.001

December 13, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Lori Grigg Bluhm, City Attorney
John M. Lamerato, Assistant City Manager/Finance & Administration
Jeanette Bennett, Purchasing Director
Carol K. Anderson, Parks and Recreation Director

RE: Award - Request For Proposal
Community Center Café/Pro Shop Operation

RECOMMENDATION

On October 18, 2001, the Request for Proposal was opened for the operation of a Café/Pro Shop in the Troy Community Center that would begin in March 2002. The Parks and Recreation Department recommends that a three (3) year contract be awarded to Emerald Food Service, the sole bidder under an incremental revenue sharing plan, starting at 2% of gross receipts for sales of \$149,000 or less increasing to 12% for sales over \$399,001, as detailed in Appendix A. If approved by Council, this proposal shall be awarded to the recommended bidder contingent upon submission of proper agreement and proposal documents, including insurance certificates and all specified requirements.

Although Emerald Food Service was the only vendor to return a proposal, the RFP document was distributed to approximately 70 local companies. The lack of proposals was due to several factors including: 1) There was no history for this type of operation in the Community Center and vendors were uncertain of the revenue that could be generated. 2) The Café/Pro Shop would not contain a kitchen area for preparing fresh food. Food would need to be brought in daily from an off-site location.

SELECTION PROCESS

The selection of the Café/Pro Shop operator for the City of Troy Community Center was to be based upon mandatory criteria including but not limited to compliance with proposal requirements, proposed menu and merchandise items, prices, and a revenue sharing plan. Proposals meeting these criteria would have then been evaluated based on the best value for the City of Troy and guests of the Community Center. The evaluation committee would have then selected its top three vendors and conducted an interview with each.

Since there was only one proposal submitted, the evaluation process was bypassed. Negotiations of a contract to operate the Café/Pro Shop began since the proposal submitted did not meet the needs of the Community Center as submitted.

Also, since the pro shop concession area is not a full service kitchen facility and foods cannot be cooked in the area, the consensus of potential bidders was that the patron traffic projections did not warrant their participation in this process. After the building is operational for a period of time and hard numbers are established, more interest in this type of contract may develop.

Page 2 of 2

To: The Honorable Mayor and City Council
Re: Award – Community Center Café/Pro Shop Operation

SUMMARY

After completing the interview and negotiation process, the evaluation committee felt that Emerald Food Service would be able to provide quality food and merchandise at an affordable price for guests of the Community Center. At the same time, they would be able to provide the Community Center with an acceptable revenue sharing plan from the sale of food and merchandise. Emerald Food Service currently utilizes the kitchen in the Community Center to prepare daily meals for the Senior Meals and Wheels Program and this presence will allow them to also prepare fresh food for the cafe, minimize expenses and better serve our customers.

73 Bids Sent
2 Bids Rec'd
1 No Bid

Prepared by: Kraig Schmottlach, Community Center Facility Manager

Opening Date -- 10/18/01
Date Prepared -- 12/13/01

CITY OF TROY
BID TABULATION
RFP FOR COMMUNITY CENTER CAFÉ/PRO SHOP

RFP 01-02
Page 1 of 2

FIRM NAME:	** EMERALD FOOD SERVICE		
PROPOSAL REQUIREMENTS FURNISH CAFÉ/PRO SHOP OPERATIONS FOR THE CITY OF TROY COMMUNITY CENTER			
PROPOSAL 1:			
PERCENTAGE OF GROSS RECEIPTS	Incremental Revenue Sharing Plan		
MINIMUM PER YEAR	See Appendix A		
OPTIONAL			
PROPOSAL 2:			
CAFÉ OPERATION RETURN SCHEDULE:	N/A		
PERCENTAGE OF GROSS RECEIPTS	%		
MINIMUM PER YEAR	\$		
PRO SHOP OPERATION RETURN SCHEDULE:	N/A		
PERCENTAGE OF GROSS RECEIPTS	%		
MINIMUM PER YEAR	\$		
SAMPLE CONTRACT (Yes or No)	NO		
SITE REVIEW: (Yes or No)	YES		
INSURANCE (Yes or No)	YES		
LENGTH OF CONTRACT (Years)	FIVE (5)		
ANTICIPATED GROSS REVENUE:	BLANK		
DESCRIBE EMPLOYEE UNIFORMS:	WHITE POLO SHIRTS / KHAKI KPANTS		
PRELIMINARY SPACE PLANS (Yes or No)	YES		
PROPOSED EQUIPMENT LISTS (Yes or No)	YES		
PRELIMINARY PROPOSED SIGNAGE PLAN (Yes or No)	YES		
PROPOSED START-UP SCHEDULE (Yes or No)	YES		
SHARE OPERATION PLAN (Yes or No)	N/A		
PROPOSED MENU & PRO SHOP ITEMS (Yes or No)	YES		
PAYMENT SCHEDULE: (Yes or No)	NO		

Opening Date -- 10/18/01
Date Prepared -- 12/13/01

CITY OF TROY
BID TABULATION
RFP FOR COMMUNITY CENTER CAFÉ/PRO SHOP

FIRM NAME:

	** EMERALD FOOD SERVICE		
TERMS:	N/A		
WARRANTY:	N/A		
EXCEPTIONS:	LISTED IN BID		

** DENOTES SOLE BIDDER

NO BIDS:

Continental Services

ATTEST:

Barbara Holmes

Kraig Schmottlach

Linda Bockstanz

Jeanette Bennett
Purchasing Director

Nov 07 01 02:28p

Emerald Food Services

248 546 6192

p.3

APPENDIX A

Revenue Sharing

\$149,000 or less	2% of gross receipts
\$2,000.00 minimum guarantee per year	
\$149,001.00-\$199,000.00	5% of gross receipts
\$7,450.00 minimum guarantee per year	
\$199,001.00-\$299,000.00	7% of gross receipts
\$13,930.00 minimum guarantee per year	
\$299,001.00-\$399,000.00	10% of gross receipts
\$29,900.00 minimum guarantee per year	
\$399,001.00-\$500,000.00	12% of gross receipts
\$47,880.00 minimum guarantee per year	

Post-It® Fax Note	7671	Date	12/13	# of pages	1
To	Susan	From	Kraig		
Co./Dept.	Purchasing	Co.	PER		
Phone #		Phone #			
Fax #	619-72267	Fax #			



ALIBI
6700 ROCHESTER ROAD
TROY MI 48084

ALL STATE VENDING INC
1094 WHISPER WAY COURT
TROY MI 48098-4419

AMERICAN VENDING INC
1231 WHEATON
TROY MI 48083

AMERICOFFEE/AMVEND
47451 AVANTE DRIVE
WIXOM MI 48393-3616

ARAMARK
20255 VICTOR PKWY #375
LIVONIA MI 48152

ATTN LLOYD SENGSTOCK
CONTINENTAL SERVICES
44800 N I94 SERVICE DRIVE
BELLEVILLE MI 48111

ATTN MR TIM RAYBURN
PEPSI CORP
50 W BIG BEAVER #500
TROY MI 48084

ATTN TAMARA SULLIVAN
CONGA COFFEE & TEA
75 NORTH MAIN ST
MT CLEMENS MI 48046

BELLACINO'S
166 W MAPLE
TROY MI 48084

BREAKAWAY DELI
75 W LONG LAKE RD
TROY MI 48098

C/O CHRIS SCHULTZ
STARBUCKS COFFEE COMPANY
135 S WOODWARD AVE
BIRMINGHAM MI 48009

CAMP TICONDEROGA
5725 ROCHESTER ROAD
TROY MI 48098

CARIBOU COFFEE
3495 ROCHESTER ROAD
TROY MI 48083

CARIBOU COFFEE COMPANY
615 N THIRD STREET
MINNEAPOLIS MN 55401

COFFEE & CREAM
19346 LIVERNOIS AVENUE
DETROIT MI 48221-1761

COFFEE BEANERY LTD
3429 PIERSON PLACE
FLUSHING MI 48433

COFFEE BEANERY LTD
4252 BALDWIN ROAD
AUBURN HILLS MI 48326-1268

COFFEE BEANERY THE
307 S MAIN STREET
ROCHESTER MI 48307-2305

COFFEE BEANERY THE
490 W 14 MILE ROAD
TROY MI 48083-4219

COFFEE CONNECTION
355 E WHITCOMB AVENUE
MADISON HEIGHTS MI 48071

COFFEE CORAIL
4301 S BALDWIN ROAD
LAKE ORION MI 48359-2107

COFFEE EXPRESS
33523 8 MILE ROAD
LIVONIA MI 48152-4117

COFFEE EXPRESS SPECIALTY BEAN
47722 CLIPPER STREET
PLYMOUTH MI 48170-2437

COFFEE GRINDER THE
98 KERCHEVAL AVENUE
GROSSE POINTE FARMS MI 48236-3619

COFFEE GRINDERS EXPRESS
5221 GULLEN MALL
DETROIT MI 48202-3919

COFFEE HOUSE THE
304 S MAIN STREET
ROYAL OAK MI 48067-2614

COFFEE MASTERS
3031 GRAND BLVD W
DETROIT MI 48202-3046

COFFEE POST THE
45571 MOUND ROAD
SHELBY TWP MI 48317-5101

COFFEE SERVICE DIV VEND A MATIC
1416 MEIJER DRIVE
TROY MI 48084-7139

COFFEE STUDIO
600 W ANN ARBOR TRAIL
PLYMOUTH MI 48170-1628

COFFEEMAN
15033 E WARREN AVENUE
DETROIT MI 48224-3028

COMPASS GROUP
12840 PROSPECT AVENUE
DEARBORN MI 48126

CONVENIENT VENDING & COFFEE SE
1411 E 9 MILE ROAD
FERNDAL MI 48220-2026

DOMINOS PIZZA
24 FRANK LLOYD WRIGHT DRIVE
P O BOX 334
ANN ARBOR MI 48106-0334

EINSTEIN BROTHERS BAGELS
1925 E BIG BEAVER
TROY MI 48083

ELAINES BAGELS
3879 ROCHESTER ROAD
TROY MI 48083

EMERALD FOOD SERVICE
1980 GREENFIELD RD
BERKLEY MI 48072

EXPERT VENDING
21279 HILLTOP
SOUTHFIELD MI 48034

FANTASTIC VENDING
2179 AVON INDUSTRIAL DRIVE
ROCHESTER HILLS MI 48309

FILTERFRESH COFFEE EXCELLENCE
21477 BRIDGE
STE B
SOUTHFIELD MI 48034

FIVE STAR VENDING
4800 CRESTBROOK
WATERFORD MI 48328

HAV INC VENDING & FOOD SERVICES
19808 SCHOOLCRAFT
DETROIT MI 48223

JOHN SEXTON & CO
1663 LONGFELLOW CT
ROCHESTER MI 48063

KERSCH BEVERAGE & VENDING
901 WANDA
FERNDAL MI 48220

MARINELLI'S
4924 ROCHESTER RD
TROY MI 48098

MARK ABRAHAM
4315 JOHN R
TROY MI 48085

METRO VENDING SERVICE INC
16545 EASTLAND
ROSEVILLE MI 48066

MODERN VENDING SERVICE CO
725 E FOURTH STREET
ROYAL OAK MI 48067

MR B'S
ATTN: SCOTT FORBES
3946 ROCHESTER ROAD
TROY MI 48083

MR PITA
1977 SO. BLVD.
TROY MI 48098

MR. PITA
3130 ROCHESTER ROAD
TROY MI 48084

NORTH AMERICAN INTERSTATE INC
3842 W 11 MILE ROAD
BERKLEY MI 48072

OAK MANAGEMENT CORP
1480 W ROMEO ROAD
LEONARD MI 48367

OLYMPIA ENTERTAINMENT
2211 WOODWARD AVENUE
DETROIT MI 48201

PONTIAC VENDING INC
16 IVY
PONTIAC MI 48058

PALACE SPORTS & ENTERTAINMENT
PALACE OF AUBURN HILLS
TWO CHAMPIONSHIP DRIVE
AUBURN HILLS MI 48326

PANERA BREAD
823 EAST BIG BEAVER
TROY MI 48084

PANERA INC.
6710 CLAYTON ROAD
RICHMOND HEIGHTS MI 63117

PUDGE'S PLACE DELI & CAFE
4927 ROCHESTER ROAD
TROY MI 48098-4955

RIDLEY'S BAKERY CAFE & CATERING
4054 ROCHESTER ROAD
TROY MI 48084

RUSSELL'S ICE CREAM
1516 MCMANUS
TROY MI 48084

SHIELD'S
ATTN: PAUL ADONI
1476 W MAPLE ROAD
TROY MI 48084

SPARE CHANGE VENDING INC
621 ENGLEWOOD
ROYAL OAK MI 48073

SPECTADIUM
2511 LIVERNOIS
TROY MI 48083

STARBUCK'S
5385 CROOKS RD
TROY MI 48098

STARBUCKS COFFEE
1921 E BIG BEAVER
TROY MI 48083

T-BIRDS CHICKEN & RIBS
4970 LIVERNOIS
TROY MI 48098

TROY CONCESSION
1516 MCMANUS
TROY MI 48084

TROY DELI
3293 ROCHESTER
TROY MI 48083

VARIETY FOOD SERVICES
25235 HOOVER ROAD
WARREN MI 48089-0092

VENDAMATIC
1416 MEIJER
TROY MI 48083

VENDTEK WHOLESALE EQUIPMENT
30505 ANDERSEN COURT
WIXOM MI 48393

Z TEAM ENTERPRISES
2984 HILL DR
TROY MI 48098

AGREEMENT FOR THE COMMUNITY CENTER CAFÉ / PRO SHOP

DRAFT

THIS AGREEMENT entered into on _____, 2001, between the CITY OF TROY, 500 W. Big Beaver, Troy, Michigan, hereinafter referred to as the City, and _____ hereinafter referred to as the Café / Pro Shop Operator,

WITNESSETH:

In consideration of the City granting to the Café / Pro Shop Operator the exclusive privilege and right of conducting, the sale of food, drinks, and other sundry Pro Shop related articles excluding vending machines in the Troy Community Center, 3179 Livernois, Troy, MI 48083, the Café / Pro Shop Operator agrees as follows:

1. The Café / Pro Shop Operator shall pay the City for the use of premises, the quoted percentage of the gross receipts from all funds derived from the operation of the Café / Pro Shop, less Michigan Sales Tax (6% as of the date of this proposal). Prior to the end of the Café / Pro Shop Operator's first fiscal year, payments will be based upon the "guaranteed minimum" quoted payable in twelve (12) equal payments per twelve-month period (year). The fiscal year shall be defined as the date of startup to the end of the twelfth month. Payments will be required by the first of each month after the first month's start-up. After the first year, a minimum of 1/12 of the previous year's actual receipts are required monthly, and payable by the first of each month unless below the "guaranteed minimum" in which case the payments will be made in the same manner as the first year. Reconciliation of the percentage for each contract year will be required,

and is due in a lump sum payment by the fourth month after the end of the fiscal year, when applicable. An annual report is required and is to be prepared and certified as to its accuracy by a certified public accountant.

2. The Café / Pro Shop Operator shall keep accurate records of all sales and receipts through the use of computerized / electronic cash registers which provide daily tapes and reports which must be approved by the City of Troy prior to commencement of the contract. The Café / Pro Shop Operator shall submit a copy of their monthly Michigan Department of Treasury Sales Tax Return by the 20th of the following month. An annual report, summarizing the monthly reports, shall be submitted within four (4) months after the first complete fiscal year and every year thereafter. The City shall have the right to inspect the books, records, and inventories of the Café / Pro Shop Operator at any reasonable time.

3. The Café / Pro Shop Operator shall have no authority or power to assign, sublet, or transfer any rights, privileges, or interests without obtaining prior written permission from the City.

4. The Café / Pro Shop Operator or his agents or employees shall not sell or permit intoxicating liquors to be consumed on the concession premises.

5. The Café / Pro Shop Operator will provide all necessary equipment, supplies, building modifications, and personnel to staff the operation. Building modifications must be approved in advance by the City and become the property of the City at the conclusion of the lease. Also, the City must approve equipment brought into the facility in advance of delivery to the Community Center.

6. The Café / Pro Shop Operator will maintain the interior of the counter area, the service windows (if applicable), and the area immediately in front of the service counter in a clean and neat manner and in compliance with all City ordinances, state law and applicable health standards. The Café / Pro Shop Operator will maintain the concession area including trash receptacles inside their concession area.

7. Products sold or marketed, the prices charged, and the operation schedules are subject to regulation by the City, and no change may be made without approval of the Director of Parks and Recreation or his/her designated representative.

8. The Café / Pro Shop Operator agrees to comply with all federal, state and local laws, rules and regulations, and ordinances and with all Oakland County Health Department regulations.

9. The City shall have the right to enter said premises or inspect any operation at any reasonable time and make such repairs and improvements, as it deems necessary. Notice will be given to Café / Pro Shop Operator if non-City employees are allowed to enter premises. All additions or improvements made on any City owned property shall become the property of the City at the time of installation.

10. The Café / Pro Shop Operator will provide uniforms and name badges for its employees, and shall require the uniforms to be maintained in a clean and neat appearing manner. The City of Troy has the right to require the Operator to terminate an employee for inappropriate behavior.

11. The Café / Pro Shop Operator shall carry liability insurance in the amount of \$1 Million dollars for any actions, claims, liability or damages caused to others arising out of the operation and maintenance of premises including product liability and workmen's compensation, consistent with the sample form attached. Furthermore, the Café / Pro Shop Operator agrees to hold the City harmless for any claims, actions, liabilities or damages arising out of the operation, maintenance or management of the concessions.

12. All insurance policies must be approved as to form and amount by the City and copies of certificates of insurance furnished to the City. All policies, except workmen's compensation, must name the City as an additional insured. Insurance must be carried for the entire duration of this agreement.

13. Copies of all damage or accident reports submitted to insurance companies dealing with any damage or accident that may occur, must also be sent to the City.

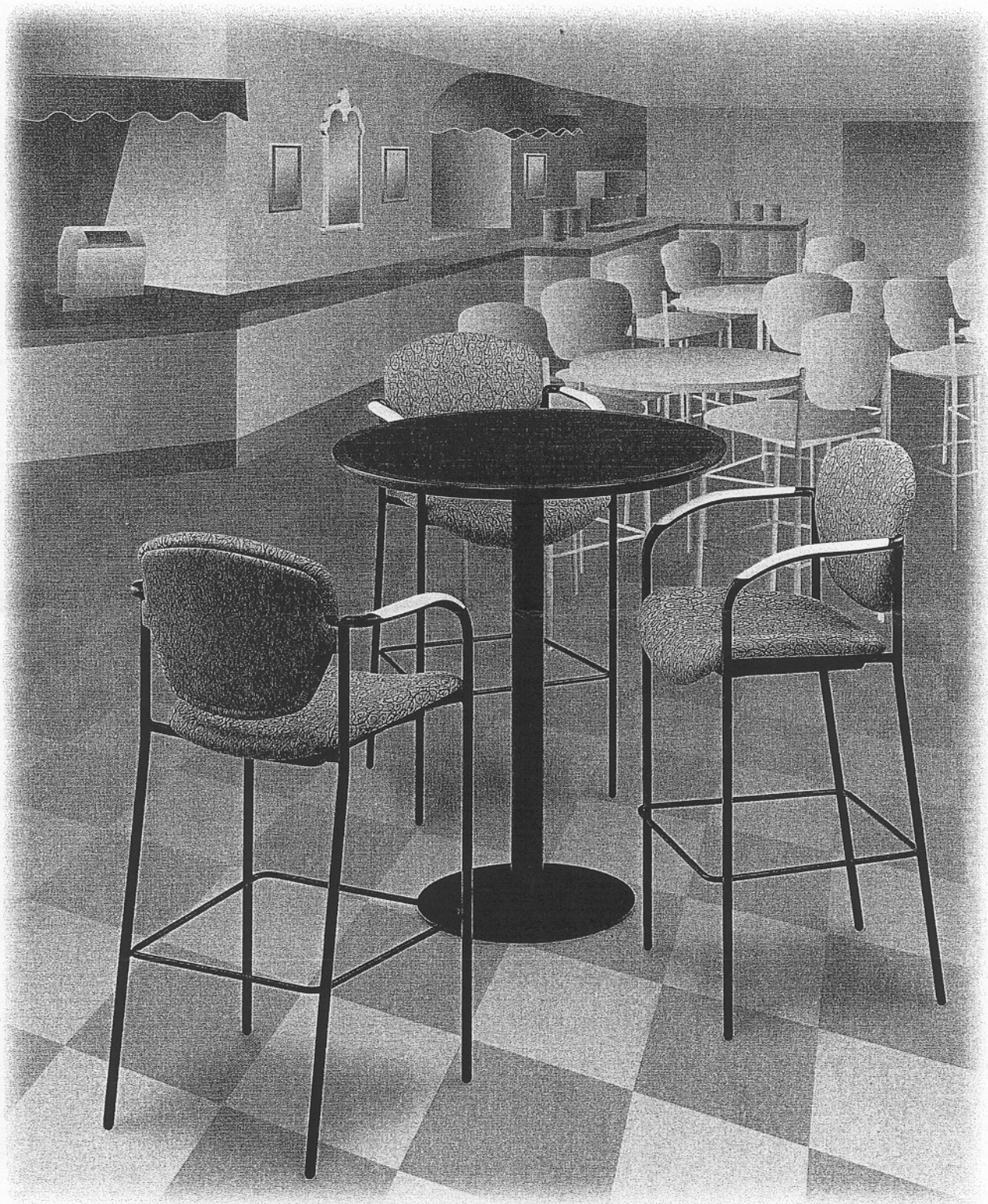
14. The Café / Pro Shop Operator shall be liable for any personal property taxes assessed against his equipment.

15. The City will pay utility costs.

16. This contract shall terminate on _____, unless canceled by either party upon provision of 30 days written notice.



FIXTURES FURNITURE®



ELEVATE YOUR SEATING

FOUR TYPES OF EDGE DETAIL, INCLUDING COLORFUL BUMPER T-MOLDS, WOOD, SELF-EDGE AND CAST RESIN, COMPRISE THE FINISHING TOUCHES. HUNDREDS OF MIX-AND-MATCH COMBINATIONS ALLOW YOU TO CREATE A FIXTURES TABLE THAT'S RIGHT FOR ANY SITUATION.



ABOVE: ROUND WAVE LASER BASE IN GREY HAMMERTONE, LAMINATE TOP WITH BUMPER T-MOLD EDGE.

BELOW: M&M LASER BASE IN GREY HAMMERTONE, LAMINATE TOP WITH CAST RESIN WATERFALL EDGE.





Market Umbrella shown here with Vista Collection Food Court Seating.

Canopies: Sunbrela® 100% solution-dyed acrylic fabric. Standard colors are Green, Blue, Yellow and Beige; additional Sunbrela® colors are also available. Canopy end pockets are double fabric and double stitched for exceptional durability.

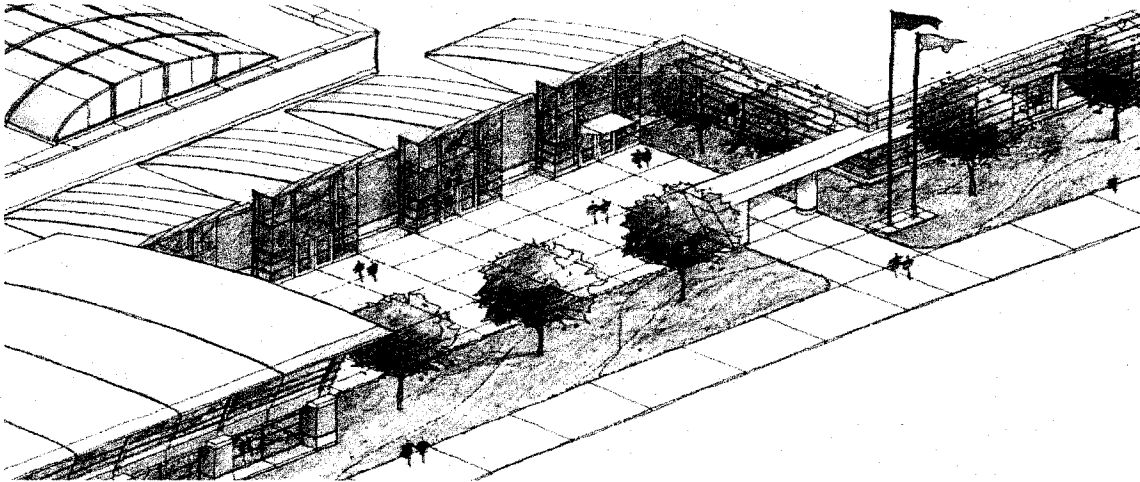
Wood Elements: Frame assembly and one-piece pole are re-forested hardwood with a clear lacquer topcoat.

Market Umbrellas are octagonal and come in 8' and 10' sizes. All components are replaceable and can be easily changed out on-site.

Troy Community Center

Grand Opening

March 2002



The Troy Community Center is fast approaching the completion of Phase I of a \$26 million renovation project that will add many exciting features to its layout. With an estimated completion time of March, 2002 for Phase I, the "NEW" Community Center aims to offer "something for everyone" including:

- ◆ Dedicated space (four rooms) for dance and aerobic groups with shock absorption flooring
- ◆ An indoor aquatic area that includes a lap pool, slides, children play area, and a therapy pool
- ◆ A fitness area that includes cardiovascular, circuit training and free weight equipment
- ◆ A two court wood gym floor for basketball, volleyball, badminton and other activities
- ◆ Locker rooms with lockers for men, women, and families
- ◆ Dedicated space for seniors, pre-school, teens, arts'n'crafts, and meetings
- ◆ A café, pro shop and baby sitting room

Phase II of the Community Center renovation project has a February, 2003 completion date and includes other exciting features such as a room that can accommodate banquets up to 300 people, five conference rooms, an outdoor play area for children, a kids cardio room and a wellness room. To enjoy these fabulous recreation amenities, stay tuned in the upcoming months for information on daily and annual pass fees. We look forward to seeing you at the Community Center!!

For more information stop by or call: 3179 Livernois, Troy, MI 48083, 248-524-3484

**PROCLAMATION TO HONOR
DANIEL D. MACLEISH
2002 PRESIDENT OF THE BUILDING INDUSTRY ASSOCIATION**

WHEREAS, The Building Industry Association of Southeastern Michigan is a trade association formed in 1928 as the nation's first organization serving the varied interests and needs of the area builders; and

WHEREAS, The Association has a deep tradition of quality work on behalf of single family and multifamily residential construction and in support of home ownership; and

WHEREAS, **Daniel MacLeish** has been a Licensed Builder since 1964 and Designer/Builder of custom homes from 1964 - 1978; and

WHEREAS, Since 1978 **Dan** has built subdivisions, office buildings and condominiums including Avon Ravines, Valley Stream, Beach Forest, Vineyards South, Paint Creek Estates, Adams Pointe, Turnberry, Cornerstone Village, Sanctuary Condos and Indian Wells of Royal Oak; and

WHEREAS, **Dan** won the Troy Chamber of Commerce Beautification Award for "Best Design" in 1988; was selected as one of America's Best Builders by the APA in 1995, 1996 and 1997; elected to the Building Industry Association Hall of Fame in 1997 (the youngest builder to be inducted in the Association's history); and won the BIA Distinguished Service Award in 2002; and

WHEREAS, **Dan** serves on a number of professional organizations including the Building Industry Association – 2001 Senior Vice President, Legislative Affairs Committee, Code Committee, Carpenter Training Chairman, and Board of Directors 1985 to present; the Michigan Association of Home Builders Board of Directors – 1989 to present; and the National Association of Home Builders Board of Directors 1987 to present; and

WHEREAS, The Building Industry Association of Southeastern Michigan is pleased to announce **Daniel D. MacLeish as the incoming President for 2002**.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy commends **Daniel MacLeish** for his many contributions to the Building Industry in Troy and the surrounding communities.

BE IT FURTHER RESOLVED, that the City Council does hereby join with the citizens of Troy, to express sincere appreciation to **Daniel MacLeish** for his 37 years of dedication as a Licensed Builder in constructing quality homes, condominiums and office buildings.

Presented this 7th day of January 2002.

**PROCLAMATION TO HONOR
STEPHEN J. TAGLIONE
2002 PRESIDENT OF THE BUILDING INDUSTRY ASSOCIATION**

WHEREAS, The Building Industry Association of Southeastern Michigan is a trade association formed in 1928 as the nation's first organization serving the varied interests and needs of the area builders; and

WHEREAS, The Association has a deep tradition of quality work on behalf of single family and multifamily residential construction and in support of home ownership; and

WHEREAS, **Stephen J. Taglione**, once a vice president with Michigan National Bank, transitioned his career to the building industry in 1987 as the executive vice president and treasurer of the newly formed BBC Group, Inc. He was named president within 18 months; and

WHEREAS, **Steve's** dedication and commitment to excellence earned him great respect as well as the BIA's Young Builder of the Year Award (1991) and BIA's Builder of the Year Award (1996); and

WHEREAS, When BBC Group was purchased, **Steve** was retained as president of the Heritage Residential Group, which through steady growth won acclaim as one of Professional Builder Magazine's Giant 400; and

WHEREAS, When **Steve** joined Burton-Katzman Development in 1998, he helped it gain status with a Future 50 Award in 1999 and 2000, presented to "up-an-coming" southeastern Michigan companies; and

WHEREAS, **Steve** has served on the BIA Executive Committee, the board of directors, chair of the Canton Township Task Force and the BIA representative to the Housing Education Research Center at Michigan State University, and

WHEREAS, The Building Industry Association of Southeastern Michigan expresses its appreciation to outgoing President, **Stephen J. Taglione**, for his leadership and professionalism.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Troy commends **Stephen J. Taglione** for his contributions to the Building Industry in Troy and the surrounding communities.

BE IT FURTHER RESOLVED, that the City Council does hereby join with the citizens of Troy, to express sincere appreciation to **Stephen J. Taglione** for his commitment as an outstanding leader in the building industry and service as the 2001 President of the Building Industry Association of Southeastern Michigan.

Presented this 7th day of January 2002.

Service Commendation Sergeant Michael Kerr

WHEREAS, Sergeant Michael Kerr began his employment with the City of Troy on April 1, 1970 and in July, 1979 he was promoted to Sergeant; and

WHEREAS, Sergeant Kerr was one of the original group of officers assigned to the first Tactical Support Team in Troy and has been active on the Troy Police Department Pistol Team since its inception, earning numerous personal, departmental, state and national awards; and

WHEREAS, Sergeant Kerr's work history includes being one of the inaugural group of officers to the plainclothes Directed Patrol Unit, Directed Patrol Unit Supervisor, Road Patrol, Training Officer, Community Policing Unit Supervisor and Traffic Safety Unit Sergeant; and

WHEREAS, Throughout his many hard-working years of service **Sergeant Kerr** received 28 Commendations, 47 letters of thanks and positive performance, two safe driving medals and a Unit Citation in 1991; and

WHEREAS, Sergeant Kerr received a Departmental Medal for Merit Service in 1972 for the capture of a suspect who wounded a fellow officer, selected Police Officer of the Year in 1987 with fellow Directed Patrol Unit members for exceptional performance and nominated for Police Officer of the Year three times during his career; and

WHEREAS, December 14, 2001 marked the occasion of **Sergeant Michael Kerr's** retirement from the City of Troy after 32 years of service; and

WHEREAS, During the course of his employment, **Sergeant Kerr** has contributed many tireless hours of dedicated service to the City of Troy and its citizens; and

NOW, THEREFORE, BE IT KNOWN, That the Troy City Council takes this opportunity to express its appreciation to **Sergeant Michael Kerr** for his many contributions to the betterment of the City; and

BE IT FURTHER KNOWN, That the City Council of the City of Troy, on behalf of themselves, City management, and the citizens of the City of Troy, extends wishes of prosperity, good health and happiness to **Sergeant Michael Kerr** during his retirement years.

Presented this 7th day of January 2002.

The meeting was called to order at 7:30 p.m. by Chairman Max Ehlert in Conference Room C.

PRESENT: David Balagna
Max Ehlert
W. Stan Godlewski
James Moseley
James Peard
Thomas Sawyer
Jennifer Gilbert, Student Representative
Sergeant George Zielinski
Marsha Livingston, Office Coordinator
Lynn McDaniel, Clerk-Typist

ABSENT: John Walker

Moved by Balagna, seconded by Moseley, to EXCUSE the absent member(s).
APPROVED unanimously

Moved by Moseley, seconded by Godlewski, to APPROVE the minutes of the October 8, 2001 meeting as printed.
APPROVED unanimously

AGENDA ITEMS:

1. **7-ELEVEN, INC.**, requests to drop **D. & G. BLATCHLEY, INC.**, as Co-Licensee and add **NISAR SIDDIQUI** as Co-Licensee with 7-Eleven, Inc. in 2001 Specially Designated Merchant (SDM_licensed business located at 2891 Crooks, Troy, MI 48084, Oakland County. [MLCC REF#132394]

Present to answer questions from the committee were Nisar Siddiqui, Co-Licensee applicant for 7-Eleven location at 2891 Crooks Road, and Pedro Hernandez, Field Consultant for 7-Eleven, Inc.

Mr. Siddiqui has been a successful franchisee in California from December, 1986 to October, 2001. In 16 years in California, he had only had one liquor violation. Mr. Siddiqui and his wife will be an active owner on premises. His employees will be adults over 21. He stated that all existing employees have been through TIPS program within the last year and any new employees hired will be put through TIPS. Mr. Siddiqui will have cash registers programmed to have birthdates entered before purchase of liquor is obtained. Mr. Hernandez stated he will be doing spot inspections at location by obtaining electronic computer printouts from cash register to scan birthdates that have been entered. Mr. Siddiqui is currently leasing a home in Troy and intends to purchase a home in Troy soon. Sgt. Zielinski stated background check on Mr. Siddiqui appears in order.

Moved by Moseley, seconded by Ehlert, to APPROVE the above request.
APPROVED unanimously

2. **Committee discussion on Liquor License limitations.**

The committee discussed options available for limiting licenses. Troy currently has 49

licenses, 47 which are active and 2 in escrow. Additional licenses will be allocated to Troy due to an increase in the population. Sgt. Zielinski furnished copies of current criteria and a map showing where current licenses are within the city. The committee would like to look at criterias from other cities similar in demographics such as Southfield, Farmington Hills, Sterling Heights.

Changing verbiage on current criteria was weighed. Care needs to be taken when changing criteria to ensure that applicants are not completely shut off but not make it too easy to obtain a license. The committee would like to put the burden on the license applicant to meet the criteria. Applicants will know exactly what is expected before they apply for a license. It was noted that there was nothing in current criteria about transfers of licenses. Criterias can be used for denials. City Council does not need to have a reason to deny or approve.

Additions to new criteria could include public notification or public forum. Residents, schools, churches, businesses within 300 feet of new or transferred license would be notified of a license application. A sign could be placed on property stating that a liquor license is being applied for at that location. Feedback from public would be important.

The committee discussed that the current criteria from 1993 needs to be enforced. Sgt. Zielinski will make sure applicants will receive the current criteria in packet.

Further discussion regarding criteria changes will continue at the December 2001 meeting.

Motion by Elhert, seconded by Godlewski, that all Class C & B license application packets include current criteria.

Moved by Ehlert, seconded by Sawyer to ADJOURN the meeting at 8:15 p.m.
APPROVED unanimously

LM/lm

The Regular Meeting of the Troy City Planning Commission was called to order by Chairman Chamberlain at 7:30 P.M. on Tuesday, November 13, 2001 in the Council Chambers of the Troy City Hall.

1. ROLL CALL

Present:

Starr
Storrs
Chamberlain
Wright
Littman
Waller
Reece
Kramer (arrived 7:35 p.m.)

Absent

Pennington

Also Present:

Mark Miller, Planning Director
Susan Lancaster, Assistant City Attorney
Jordan Keoleian, Student Representative
Doug Smith, Real Estate and Development Director

2. MINUTES

Moved by: Storrs

Seconded by: Mr. Starr

RESOLVED to approve the October 23, 2001 Planning Commission Special / Study Meeting Minutes.

Yea:

Chamberlain
Storrs
Starr
Kramer

Abstain

Wright
Reece
Littman
Waller

Absent

Pennington

RESOLUTION APPROVED

3. PUBLIC COMMENTS

There were no public comments

REZONING PROPOSALS

4. PUBLIC HEARING - PROPOSED REZONING (Z-673) – North of Big Beaver, East Side of Wilshire, Section 21, R-C to O-S-C

Mr. Miller stated that the Burton-Katzman Company have submitted a rezoning request for their property, 1.857 acres, located north of Big Beaver, on the east side of Wilshire and on the west side of I-75. Current zoning classification is R-C Research Center and the proposed zoning classification is O-S-C Office Service Commercial. Petitioner appears to be assembling a number of properties to develop a high-rise office building. The Preliminary Environmental Impact Statement and Traffic Impact Study Summary are enclosed with the agenda package.

Mr. Miller further stated that the subject property is currently vacant. The adjacent land uses include: Magna International building to the north; vacant land to the south; an office development to the west, and I-75 and the City of Troy Civic Center to the east.

Mr. Miller further stated that the current Master Land Use Plan designation for the subject property is High Rise Office. The adjacent land use designations include: High Rise Office to the north and to the south, High Rise and Mid Rise Office to the west and Freeway and Community Facilities to the east.

Mr. Miller further stated that the current zoning district classification of the subject property is R-C Research Center. The adjacent zoning district classifications include: R-C Research Center to the north, O-S-C Office-Service-Commercial to the south, O-M Office Mid-Rise to the west, and I-75 and C-F Community Facilities to the east.

Mr. Miller concluded stating that the proposed rezoning is consistent with the Master Land Use Plan and is compatible with the adjacent zoning districts and existing land uses. Based upon these findings, the Planning Department recommends approval of the subject rezoning request.

Mr. Charles DiMaggio, petitioner, stated he was also representing Sterling Savings Bank, who is jointly involved in this venture. John Barker of Hobbs and

Black Associates, an architectural firm, and Lori Swanson, who provided the traffic impact study and who will summarize that study here for you this evening.

Mr. DiMaggio further stated that being here this evening is part of the process that they started with the City of Troy in 1998. Ongoing dialect occurred with the City and they have been very helpful and very cordial. A great deal of time was spent with Magna Corporation. Mr. DiMaggio further stated that there is a sliver of property, about a ½ acre along Troy Center Drive, that they are attempting to acquire. That they have had ongoing discussions with the adjacent Wilshire Subdivision regarding amending the deed restrictions for the parking structure. There will be 160,000 to 300,000 square feet of office building depending upon successful negotiations with Magna and the City.

Mr. Storrs asked if all the necessary property is assembled.

Mr. DiMaggio stated yes, there is sufficient land to support the project.

Mr. Littman asked the petitioner if Burton-Katzman/Sterling Bank owns the subject property.

Mr. DiMaggio stated it does.

Mr. Barker, Hobbs & Black Associates, architect for the petitioner, stated that they will present the tallest proposed project considered. However, the footprint will remain the same for all future proposals. The future building could consist of seven (7) to thirteen (13) stories and will be a real signature building on one of the last main corners of the City of Troy. The parking structure size will depend on the size of the building.

Mr. Barker further stated that Sterling Savings Bank will utilize this building as their headquarters. A full loop road will surround the building for easy access and fire emergencies. Also shown are elevations and the type of building which will consist of glass and pre-cast concrete with a stone look. They tried to keep a green space in the front of the building. They incorporated parking into the building which is really an extension of the office building.

Mr. Waller asked the petitioner if they are aware of the current Troy Zoning Ordinance regarding setbacks and height of high rise buildings.

Mr. Barker stated yes, that they are aware of the Zoning Ordinance requirements.

Ms. Lori Swanson, Traffic Engineer, based the traffic study on a 300,000 square foot building. She stated that coordination occurred with John Abraham, Traffic Engineer for the City of Troy. At the request of the City, a simulation mode allowed comparison of an old corridor with the existing corridor and background

conditions. Based upon this study, the recommended improvements were developed.

Mr. Kramer commented that the peak hours are noted at 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M. He stated that peak hours for the Big Beaver corridor are more like 6:00 A.M. to 8:00 P.M., with lunch also being peak. In the future you might make note of the fact that our rush hour is a flat line of ten (10) peak hours.

Mr. Chamberlain commented on the subject property and asked what is the difference in traffic if we leave it as it is now, versus the proposed rezoning. How much more traffic is going to be generated without the rezoning.

Mr. Abraham stated, looking at the traffic from an overall perspective, it is not much different. Generally, the impact or increase is not dramatic.

Mr. DiMaggio stated that the marginal differences would be between the R-C at 17,500 square feet per acre and O-S-C at 30,000 square feet per acre versus the rezoning which would equal an additional 23,000 square feet of building. Ms. Swanson could address the traffic impact of additional density.

Ms. Swanson stated that a 27,000 additional square footage of building will have 33 A.M. peak trips per hour and 29 P.M. peak trips per hour trip totaling 219 additional trips during an entire day.

Public Hearing was opened.

Mr. Richard Hyke, 1321 Regis Court, stated that when Magna was allowed to build, there was an agreement with Magna that they would limit additional building. He commented that this rezoning allows them higher density. Further, he concluded that the agreement that was made with the residents should not be broken. Agreement should be checked into.

Public Hearing was closed.

Mr. Kramer asked Ms. Lancaster, Assistant City Attorney, that in the past, we have had very little time discussing deed restrictions; what is required or what is permissible related to deed restrictions.

Ms. Lancaster answered that the petitioner should address this issue as more information is needed.

Mr. DiMaggio stated that all three (3) homeowner associations signed off on the changes to the deed restrictions. They did get approval from all of them.

Ms. Lancaster stated that any type of deed restriction can be changed if the parties agree. It is not impossible to revise deed restrictions.

Mr. Waller stated that with Magna there was a lot of concern in the neighborhood about odors and break-ins. There was a gamut of fear. This resulted in building an additional setback distance for the parking lot. There was a lot of negotiation between Magna and the three (3) homeowner associations.

Mr. Wright stated that the neighborhood was concerned that Magna was going to move. This property is almost a full mile from Wattles Creek. Further he stated that he doesn't see why it would be difficult to get the homeowners to agree to changes in deed restrictions.

Mr. Waller stated that there should be plenty of sidewalks in any future development.

RESOLUTION

Moved by: Waller

Seconded by: Storrs

RESOLVED, that the Planning Commission hereby recommends to the City Council that the R-C to O-S-C rezoning request of 1.857 acres, located north of Big Beaver, on the east side of Wilshire and on the west side of I-75, be granted.

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

5. PUBLIC HEARING – PROPOSED REZONING (Z-674) – North side of Maple, West of Livernois, Section 28, B-2 to H-S

Mr. Miller stated that C-4 Motion, Inc. submitted a rezoning request for a 0.7343 acre/31,984 square feet parcel located on the north side of Maple and west of Livernois. Current zoning classification is B-2 Community Business and the proposed zoning classification is H-S Highway Service. Subject property has 60 feet of frontage on Maple and is 533 feet deep, which its shape and size limit the potential development capabilities. The petitioner states the intent to utilize the subject property as an exterior auto wash.

Mr. Miller further stated that the property is currently vacant. The adjacent land uses include: the detention area for the industrial buildings to the north, Maple Road and residential development in the City of Clawson to the south, Thunderbird Lanes Bowling Alley to the west, and a small medical office building

to the east and the detention area for Hidden Meadows Residential Development to the northeast.

Mr. Miller further stated that the current Master Land Use Plan designation for the subject property appears to be Non-Center Commercial, although it is clearly at the border with Light Industrial. The adjacent land use designations include: Medium Density Residential to the north, a Major Thoroughfare and the City of Clawson to the south, Light Industrial to the west, and Non-Center Commercial to the east.

Mr. Miller further stated that the current zoning district classification of the subject property is B-2 Community Business. The adjacent zoning district classifications include: M-1 Light Industrial to the north and west, the City of Clawson to the south, B-2 Community Business to the east and R-1E One Family Residential to the northeast.

Mr. Miller further stated that Section 23.40.00/01/02/03 of the Zoning Ordinance states that the H-S Highway Service District may be applied when the application of such a classification is consistent with the intent of the Master Land Use Plan and policies related thereto, or with other land use policies of the City, and therefore, on a limited basis, may involve the following types of areas:

1. Areas indicated on the Master Land Use Plan for Non-Center Commercial use.
2. Areas within broader areas generally designated for Light Industrial use, where the City has established, through rezoning, areas to provide commercial and service uses for the surrounding Light Industrial area.

Mr. Miller concluded stating that the proposed rezoning appears to be consistent with the Master Land Use Plan and is compatible with the adjacent zoning districts and existing land uses. Based upon these findings, the Planning Department recommends approval of the subject rezoning request.

Mr. Littman asked if we notified Clawson of this request.

Mr. Miller answered yes and that there was no reply.

Mr. Waller stated that if it is considered light industrial, why can't the car wash be B-2 and they could then sell gas.

Mr. Miller answered no, auto washes are only permitted within the H-S zoning district, subject to Special Use Approval.

Mr. Cordell Craig, petitioner, stated that the use for this property is limited to a small building with incoming lanes and escape lanes. The conceptual site plan meets all requirements and he felt that this would be an excellent location for a car wash. There are no gas pumps proposed and there is absolutely no room for gas pumps.

Mr. Wright asked the petitioner if it is favorable for a car wash that doesn't sell gas.

Mr. Craig replied yes.

Mr. Waller stated that this building would be oriented towards Maple Road with no structure towards the north east where there is existing residential area.

Mr. Craig stated that the front yard setback is approximately 96 feet and the closest the building would be to any of the homes is approximately 1,000 feet.

Public Hearing was opened.

Ms. Moore, 6825 Dixie Highway, stated she was an attorney representing Thunderbird Lanes. That Thunderbird Lanes had several objections to the subject zoning request being granted. Further she stated that the Thunderbird Lanes is a B-2 use and is within the M-1 Light Industrial District. She stated that by granting this zoning request, the B-2 character is being changed. Further, she stated that this property originally belonged to Thunderbird Lanes and when Thunderbird Lanes sold this property, a deed restriction was imposed agreeing that this parcel of land would become an access road. They asked for the request to be denied.

Mr. Chamberlain asked the petitioner if there were any deed restrictions on this property.

Mr. Craig replied no.

Mr. Clifford J. Dovitz, 27950 Orchard Lake Road, stated he sent a letter of objection and that he, along with the Maple Medical Associates, object to this rezoning request. He stated that they think it is out of character and there are other uses permitted in the H-S classification besides an exterior auto wash. An exterior auto wash seems to be totally out of character next to a medical building and spot zoning is not permissible.

Mr. Dovitz further stated that there is a rather large subdivision bordering this property and with the nature of the proposed use and the amount of traffic, the property would not only be out of character, but also a concern for the safety and welfare of the people using Maple Road and the homeowners. It is inappropriate to rezone this small piece of property to H-S.

Public Hearing was closed.

Mr. Starr asked what is Thunderbird Lanes zoning.

Mr. Miller replied it was M-1 Light Industrial.

Mr. Starr asked if we were to recommend this subject zoning request, Thunderbird Lanes could then go ahead and request rezoning to B-2.

Mr. Miller replied yes, they could request a rezoning.

Mr. Kramer asked for some examples of uses permitted in the B-2 zoning district.

Mr. Miller answered bakery, grocery, etc.

Mr. Kramer stated uses like a pizza parlor or a 24 hour 7-11 is permitted.

Mr. Miller replied yes and B-2 would also permit a showroom or work shop use.

Mr. Kramer stated that an 18 foot wide 7-11 or a 2½ lane bowling alley, is it really feasible.

Mr. Storrs commented that a sixty (60) foot width of the property limits what could be built. You couldn't use a B-2 district and conform to the setbacks.

Mr. Kramer commented that in the district, auto washes are a Special Use and the Planning Commission can require conditions.

Mr. Miller commented yes, conditions could be applied to Special Uses.

Mr. Chamberlain stated that if HS is literally spot zoning and that's the way it works, that could help in our decision.

Mr. Storrs commented that the subject property was alleged to be an access road to the condominium complex.

Mr. Kramer commented that additional restrictions or conditions could be used if we had a H-S Special Use Request.

Mr. Miller replied under Special Use you are permitted to apply special conditions.

Mr. Keoleian asked about setbacks.

Mr. Craig answered setbacks were in place on the conceptual site plan.

Mr. Reece stated he was concerned with the land being sold with deed restrictions. How does a property have two (2) deed restrictions and then have them removed?

Mr. Craig, petitioner, replied if there are deed restrictions, please show them to him because he is not aware of any deed restrictions.

Mr. Kramer asked why should we approve rezoning if there are deed restrictions.

Mr. Chamberlain stated that if someone protests because of deed restrictions, it makes no difference whether it is B-2 or H-S. It is a mute point. We are looking at a rezoning issue.

Mr. Littman stated somebody owns this land. He was not sure what else you could build on this parcel.

Mr. Storrs asked if there is enough room on the subject property to permit any other uses.

Mr. Miller stated if the property stands alone, not much really fits, except an auto wash.

RESOLUTION

Moved by: Littman

Seconded by: Waller

RESOLVED, that the Planning Commission hereby recommends to the City Council that the B-2 to H-S rezoning request of a 0.7343 acre/31,984 square feet parcel of land located on the located north of Maple and west of Livernois, be granted subject to the following condition: That the question of deed restrictions be resolved prior to the City Council public hearing.

Yeas

Storrs
Chamberlain
Reece
Wright
Littman
Waller
Starr

Nays

Kramer

Absent

Pennington

RESOLUTION APPROVED

Mr. Kramer's decision to vote against the resolution was based on the following:

1. H-S is not within the character of the surrounding area in the City of Clawson.
2. Could be used as B-2 zoning; albeit, a very small building.
3. Concern over the deed restriction issues.

SITE PLANS

6. **SITE PLAN REVIEW (SP-263)** – Proposed White Castle Restaurant Re-build, East side of John R, South of Big Beaver, Section 25

Mr. Miller stated that the White Castle System, Inc. submitted a site plan to totally rebuild a White Castle Restaurant that is one story in height on a 1.24 acre, B-3 zoned parcel having 142 feet of frontage on the east side of John R and south of Big Beaver. The site plan includes 2,003 square feet building and a small accessory storage structure attached to the dumpster enclosure. This proposal improves the traffic circulation related to the drive-up window for the facility and provides vehicular cross-access agreements to the north, south and east property lines.

Mr. Miller also stated that the subject site plan meets the applicable Zoning Ordinance requirements and no natural features are located on the subject property. Approval of the site plan was recommended.

RESOLUTION

Moved by: Littman

Seconded by: Wright

RESOLVED, that Preliminary Site Plan Approval, as requested for the White Castle Restaurant Re-build on a 1.24 acre B-3 zoned site, having 142 feet of frontage on the east side of John R and south of Big Beaver is hereby granted.

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

7. SITE PLAN REVIEW (SP-867) – Proposed Hare Express Building Expansion, South side of Big Beaver and East of Rochester, Section 26.

Mr. Miller stated a Site Plan has been submitted for the expansion of Hare Express Building, a shipping and receiving truck depot, being 6,342 square feet in size and two stories in height, on a 7.15 acre M-1 zoned site having approximately 43 feet of frontage on the south side of Big Beaver and east of Rochester. The subject property also includes improvements for the off street parking and traffic circulation of autos and trucks. There is an existing stormwater detention basin on the subject property. The Buckeye Pipeline easement, 30 feet wide, bisects the southeast corner of the subject property. The existing 16,650 square feet facility was not required to obtain Planning Commission Site Plan Approval.

Mr. Miller further stated that the Natural Features Map does not indicate any natural features on the subject property; however, the City's Environmental Specialist recommends the use of oil/water separators within the stormwater collection system due to the use of the property.

Mr. Miller further stated that the access will continue to be on Big Beaver, although it is in an area of three driveways. Consolidation of these driveways was discussed with the petitioner's architect and City's Traffic Engineer. All parties agreed that the access to the subject property and adjacent properties could be improved, however, the petitioner appears unable to negotiate consolidation of the driveways. Mr. Miller concluded stating that all applicable Zoning Ordinance requirements have been met.

Mr. Kevin Hart, Petitioner, stated the building was built in 1971 and since that time there has been very little improvements on it. New construction will include conference rooms, employees' lounge, and a few offices. The building to the north that Mr. Miller mentioned makes traffic confusing.

Mr. Hart further stated that the building would improve ADA accessibility and that the proposed site plan would not be dangerous. The driveway and parking lot are currently all one and it is an active site with trucks, but is not dangerous. He commented on the driveway and noted changes are a good idea. Also, a greenbelt is proposed and we have worked hard to conform to landscaped open space requirements. Mr. Hart commented that they would like to see some of the curb cuts removed.

Mr. Storrs stated that it would be to the petitioner's advantage to make the layout and access safer.

Mr. Chamberlain stated that the Planning Commission might want to table the case because of the cross-access easement problems.

Mr. Storrs stated that the petitioner does not own the northern building.

Mr. Hart replied yes, that's right.

Mr. Storrs stated that the Planning Department asked for cross-access and the other property owner is out of control of the petitioner. The Planning Commission shouldn't hold up the petitioner.

Mr. Wright stated that there is no incentive for the owner to the north to rip up the existing driveway. He commented that the Planning Commission should not hold the petitioner hostage.

RESOLUTION

Moved by: Wright

Seconded by: Storrs

RESOLVED, that Preliminary Site Plan Approval, as requested for the expansion of Hare Express Building, a shipping and receiving truck depot, being 6,342 square feet in size and two stories in height, on a 7.15 acre M-1 zoned site having approximately 43 feet of frontage on the south side of Big Beaver and east of Rochester, Section 26, be granted, subject to the following condition: Cross-access to be provided from the petitioner's driveway to the property to the south.

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

8. SITE PLAN REVIEW (SP-866) – Proposed River Bend Condominiums, South side of Long Lake, West of Rochester, Section 15.

Mr. Miller stated that Choice Development has submitted a Site Plan for the River Bend Condominiums, located on the south side of Long Lake and west of Rochester. The subject property is within the CR-1 Zoning District and having 4.54 acres of land. The petitioner indicates 14 attached condominium units with access via Long Lake Road and the use of a private road. The City's wetlands consultant delineated two areas of potentially regulated wetlands, near an unnamed stormwater drain on the subject property. The petitioner will be required to obtain a Wetlands Permit from the MDEQ before construction on the subject property. The wetlands areas have not been identified specifically as a park or wetlands preservation area. Clarification of the method of dedication of the

wetlands as open space, whether that be a conservation easement, condominium preservation area or other method should be provided by the petitioner.

Mr. Miller further stated that within the 50 setback from Long Lake Road, the Site Plan includes landscaping that varies from the requirement of Section 11.50.04. This section requires a double row, 10 feet apart of coniferous evergreens, 20 feet on center, and staggered 10 feet on center. The petitioner has scattered the evergreens with deciduous trees. This berm is a discretionary requirement vested in the Planning Commission. Although the plantings do not meet the specific standards of the noted section, it appears to meet the intent of the requirements with the use of creativity.

Mr. Miller further stated that there is a storm water detention basin proposed within the condominium. This would remain part of the condominium and maintenance would be the responsibility of the condominium association.

Mr. Miller further stated that the subject parcel cannot be developed in the traditional sense, where a double loaded subdivision street is utilized. The use of clustering has permitted the maximization of residential unit density, while impacting the wetlands slightly in the southeast area of the development, units 13 and 14. While a self-contained condominium is proposed, the Planning Department recognizes that Nada is a stub street to the west of the subject property. Potentially, interconnection could occur with the subject property from the Covington Ridge and Covington Ridge #3 Subdivisions, however, the regulated wetlands and un-named drain are a barrier to this interconnection. Due to the size limitations and natural features characteristics of the subject property, the proposed condominium appears to be a reasonable proposal.

Mr. Miller concluded stating that the intent is to have sidewalks for the project and that the architect may address this issue a little more.

Mr. Littman asked if this was a public road or a private road.

Mr. Miller replied private.

Mr. Littman commented that the petitioner is putting sidewalks in.

Mr. Miller replied yes. However, they should be shown more clearly. The plan should indicate sidewalks on all frontages.

Mr. Storrs commented on the parcel immediately to the west and asked if we have anything in the file.

Mr. Miller replied he didn't know.

Mr. Storrs stated that we do not want to leave this hanging. We need to create that sketch. What about the property to the south. South is still residentially owned.

Mr. Miller replied yes.

Mr. Storrs asked how would this property be developed.

Mr. Miller stated he would have to prepare a plan to show potential development.

Petitioner, Mr. David Donnellon, introduced Mr. Youseff H. Chehayeb, Vice President of Choice Development Corporation. Mr. Donnellon stated that Wetlands are part of the common areas and the Site Plan indicates a preservation area that is open space. Further, he stated that sidewalks do follow the edge of the road; however, the drafting pattern is not shown. These are single-loaded roads and there is no need for sidewalks along the drive where there are no condominium units. He didn't feel that sidewalks on both sides would be required at this time; however, they will revise our drawings to indicate sidewalks if required.

Mr. Storrs asked if the petitioner has a sketch of the concept with Nada extending to the subject property.

Mr. Donnellon replied they do not.

Mr. Storrs asked if the vacant parcels adjacent to Sara Drive are open space or wetlands. In addition, is there a City owned parcel to the property.

Mr. Chamberlain asked for comments.

Mr. Kramer questioned the density of the proposed condominiums and if all the city building codes will be met. He then asked what kind of fire reduction was being used.

Mr. Donnellon replied that fire walls go to the roof line.

Mr. Waller asked the petitioner what will you do to protect the trees on site to ensure a bulldozer doesn't come along and knock down all the trees. The city chooses not to be concerned about that, but the Planning Commission is concerned. What's your commitment to the community to save the trees where feasible.

Mr. Donnellon replied that they will use a snow fence at the trees drip line.

Mr. Waller asked the petitioner if he would be willing to pay a \$10,000 fine in order to save the trees.

Mr. Chehayeb stated that the units are located where there are no trees.

Mr. Waller asked how will the trees be saved.

Mr. Waller stated his question was not answered.

Mr. Chamberlain asked if there are going to be any fences or walls.

Mr. Miller replied none are required.

Mr. Donnellon stated that none are proposed, although the east property line fencing is a possibility.

Mr. Chamberlain stated that the petitioner should avoid walls, they kill trees. He stated that the problem is trench footings.

Mr. Chehayeb stated no walls or fencing are proposed.

Mr. Starr stated that we resolved the problem on the east side of the street, but does the west side of the street require sidewalks. The easement is shown on both sides of the road. The question is can the sidewalk be waived.

Mr. Chamberlain stated we need to sort out the sidewalk issue tonight.

Mr. Wright stated that he doesn't see any reason to run a sidewalk up the east side of that road.

RESOLUTION

Moved by: Waller

Seconded by: Wright

Resolved, that Preliminary Site Plan Approval request for the River Bend Condominiums, located on the south side of Long Lake and west of Rochester, being 4.54 acres, within the CR-1 Zoning District, be granted, subject to the following conditions:

1. No sidewalks on the east side of River Bend Trail, north of Unit #14.
2. Any trees that are to be preserved shall be protected by a snow fence, placed at the drip line of the protected trees.
3. Trench footings will be prohibited for any fencing or walls.

RESOLUTION

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

Moved by: Waller

Seconded by: Wright

RESOLVED, that the Planning Commission hereby recommends to the City Council that the private street system proposed to serve the Residential Condominium on the south side of Long Lake and west of Rochester, being 4.54 acres, within the CR-1 Zoning District be approved in accordance with the site plan as described as C-1 as presented and approved on this date, in accordance with Section 11.80.01 of the Zoning Ordinance, subject to utility easements as determined to be necessary by the City Staff, be granted, subject to the following conditions:

1. No sidewalks on the east side of River Bend Trail, north of Unit #14.
2. Any trees that are to be preserved shall be protected by a snow fence, placed at the drip line of the protected trees.
3. Trench footings will be prohibited for any fencing or walls.

RESOLUTION

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

9. SITE PLAN REVIEW – Proposed Rhode Island Estates Site Condominium, North of Big Beaver, East and West sides of Rhode Island, Section 24.

Mr. Miller stated that D & G Development & Construction Co. LLC submitted a Site Plan for the Rhode Island Estates Site Condominium. The subject property consist of lots 39, 40 and 41 of Big Beaver Poultry Farms Subdivision comprising 1.99 acres in size and within the R-1E Zoning District, located north of Big Beaver and on the east and west sides of Rhode Island, south of Orpington. Access is proposed from a relocated and currently unimproved Rhode Island Drive. A total of 7 units are proposed including a stormwater detention basin located in the southwest corner of the site condominium.

Mr. Miller further stated that the Planning Department worked with the developer to relocate Rhode Island Drive to increase the depth of units 1, 2, and 3. These units range from 95 to 115 feet in depth, which is shallow and creates some difficulty in building homes on the units. The existing Rhode Island Drive will then be required to be vacated and the new right-of-way dedicated by the petitioner. Three drawings are attached that were prepared by the Planning Department with the intent of increasing the building envelopes and depth of units 1, 2, 3 and 4. These drawings also serve as the Planning Department's plat of exception, depicting the potential future connection of public roads and development. The petitioner is expected to provide an additional plat of exception, however, it was not provided for the agenda package.

Mr. Miller further stated that the City of Troy Natural Features Map indicates woodlands on the subject property while no wetlands are indicated on the map. The City's Environmental Specialist recommended the petitioner submit a wetlands determination.

Mr. Miller concluded that all applicable ordinance requirements are met, however, the shallow depth of units 1,2, 3 and 4 appears to be undesirable. The petitioner should provide the future road and development patterns to fully understand the ultimate build-out of the general area.

Mr. Storrs asked if units 1 through 4 meet the ordinance requirements.

Mr. Miller replied yes; however, there is a goal of minimum depth.

Petitioner, Mr. Victor DiFlorio, stated that these seven lots would be completed by late winter or early spring and four more lots by the end of the year 2002.

Mr. DiFlorio further stated that he realizes the platted street creates shallow depths and understands the Planning Department's intent. He states they also are aware of the limitations of the proposed units and that they will build accordingly. Also, Rhode Island will have temporary turnarounds.

Mr. DiFlorio further stated that they are in negotiations with the property owners to the south and west in order to develop similar to Cedar Ridge Estates.

Public Hearing was opened.

Mr. Dean Daggart, 2226 Orpington, stated he lives directly east of this development, has been a resident for thirty (30) years and is in agreement about saving trees. He did not necessarily object to the proposal, but is looking for some consideration. Thirty years ago traffic was not a problem and Orpington had only one entrance then and that the new Farmer Jacks has created traffic problems. There are traffic problems at both ends of Orpington and feels that the proposed project will add to traffic problems. Also, Orpington does not have

sidewalks or street lights. It is a rural atmosphere and he enjoys it that way, but there is a safety factor with no sidewalks. He asked the Planning Commission to table the item. Also, he has received two notices that this property is within the wetlands. Other problems are that lots 1, 2, and 3 of the project are a little short in depth. He stated willingness to sell his two (2) acres to increase the depth of the proposed units. Finally, he asked the Planning Commission to table the item and to include his property within the project.

Mr. Chamberlain asked if we have a plat of exception all the way to John R.

Mr. Miller replied the staff requested the information, but it was not provided.

Mr. Chamberlain stated there are no sidewalks on Orpington and it is a problem. The existing homes are going to remain and if there is a connection with Cedar Crest II, then there is additional problems.

Mr. Waller stated that we are just beginning to receive these types of development requests and we need to make good decisions.

Mr. Kramer stated that one of things we may want to consider is not changing the character of this neighborhood. Maybe it shouldn't be developed.

Mr. Chamberlain stated R-1E Zoning District permits a lot of lots.

Mr. Kramer stated that the current residents and homeowners may want to preserve the character of the neighborhood.

Mr. Mike Tawny, 37476 Camellia, Clinton Township, MI, owner of the parcel immediately south of the proposed site and just west of the Big Beaver Poultry Farms stated he has not been in contact with the gentlemen who is proposing this development. He is aware that the proposal has limited potential; however, perhaps some more insightful planning would make this project more desirable. That would be a better approach.

Mr. Chamberlain stated that the real problem is with trying to tie the development with Cedar Knoll and Rhode Island.

Mr. Waller stated that it may be wise to table this item for thirty (30) days to let petitioner and other interested parties to speak among themselves and the City's Planning Department.

Mr. DiFlorio stated that they were not connecting to the south.

Mr. Chamberlain stated that there are a lot of problems on Orpington. The Planning Commission owes it to the people who live there and ourselves to plan the proposed development correctly.

Mr. DiFlorio stated that Cedar Ridge was going to tie to the west.

Mr. Chamberlain stated there is a lot of vacant land and good planning is necessary prior to development.

Mr. Storrs stated a scheme and road pattern needs to be created so it doesn't connect to Orpington and Big Beaver.

RESOLUTION

Moved by: Waller

Seconded by: Littman

RESOLVED, that Preliminary Site Plan Approval, as requested for Rhode Island Estates Site Condominium, North of Big Beaver, East and West sides of Rhode Island, Section 24, be tabled for ninety (90) days until the February regular meeting, to allow the petitioner time to discuss the issues between the petitioner and the parties involved along with the City's Planning Department.

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

RESOLUTION

Moved by: Wright

Seconded by: Starr

RESOLVED, that Cindy Pennington be excused from attendance at this meeting.

Yeas: All Present (8)

Absent: Pennington

RESOLUTION APPROVED

FOR THE GOOD OF THE ORDER

Mr. Littman, referring to Sandalwood, asked what could the Planning Commission have done different. Doesn't the developer have to inventory their trees.

Mr. Miller stated that only trees 4-10 inches d.b.h. in size are required to be inventoried. There are no requirements to mandate preservation of trees.

Mr. Storrs commented on 4-10 d.b.h. inch trees and anything over ten (10) d.b.h. inches you don't have to save.

Mr. Miller stated you do not have to inventory those trees and there are no requirements that mandate preservation of trees.

Mr. Storrs stated that the BZA denied JAX car wash expansion of non-conforming use for gasoline pumps.

Mr. Reece thanked Mark Miller for the seminar packages.

Mr. Miller stated to those who attended the seminar on Mackinaw Island to be sure to get their expense reports in.

Ms. Lancaster stated it has been a pleasure working with the Planning Commission and Planning Department.

Mr. Chamberlain commented on:

1. Mark Miller's appointment as Planning Director.
2. At the next study session, be prepared to discuss the sessions attended at the Michigan Society of Planning Conference.
3. Mark Miller prepared a Troy Baptist PUD analysis, which was distributed to the Planning Commission members.

MEETING ADJOURNED 10:30 P.M.

Respectfully submitted,

Mark F. Miller
Planning Director

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, November 14, 2001, at the Public Works Building. The meeting was called to order at 3:00 p.m.

PRESENT: Mark Calice
Robert Crawford
Mark Halsey
Thomas Houghton, Chairman
John M. Lamerato
Anthony Pallotta
John Szerlag (arrived 3:25 p.m.)

MINUTES

Resolution # 01-45

Moved by Pallotta

Seconded by Crawford

RESOLVED, that the minutes of the October 10, 2001, meeting be approved.

Yeas: All 6

Absent: Szerlag

RETIREMENT REQUEST

Resolution # 01-46

Moved by Pallotta

Seconded by Halsey

RESOLVED, that the duty death retirement of Charles Mulvihill, 9/10/01, be approved.

Yeas: All 6

Absent: Szerlag

OTHER BUSINESSInvestment Policy

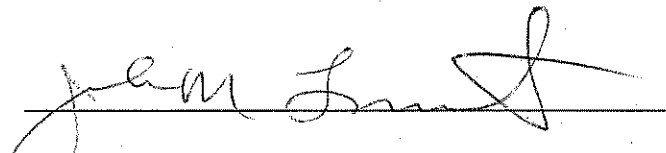
The Board will continue their review of the current investment policy at the December Board meeting.

Retirement Service Credit

The Board will continue their review of the credited service provisions of the City Code at the December Board meeting.

The next meeting is December 12, 2001 at 3:00 p.m. in Conference Room "C" at City Hall.

The meeting adjourned at 4:22 p.m.



John M. Lamerato, Secretary

The Chairman, Christopher Fejes called the meeting to order at 7:30 P.M., on Tuesday, November 20, 2001.

PRESENT: Kenneth Courtney
Christopher Fejes
Marcia Gies
Michael Hutson
Matthew Kovacs
Mark Maxwell
Walter Storrs

Also Present: Mark Stimac
Bob Davisson
Pam Pasternak

ITEM #1 – APPROVAL OF MINUTES OF MEETING OF OCTOBER 16, 2001

Motion by Courtney
Supported by Maxwell

MOVED, to approve the minutes of the meeting of October 16, 2001 as written.

Yeas: 7 – All

MOTION TO APPROVE MINUTES AS WRITTEN CARRIED

ITEM #2 – VARIANCE REQUESTED. EAST LONG LAKE PROPERTIES, L.L.C., 906 E. LONG LAKE, for relief of the Zoning Ordinance to expand a non-conforming structure and construct an addition to the existing office building at 906 E. Long Lake.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct an addition to the existing office building at 906 E. Long Lake. Based upon the ultimate Right of Way of Long Lake Road in front of this property, the front setback to the existing building is 5.71 feet. Section 30.20.04 requires a 25' minimum front yard setback in the B-1 (Local Business) Zoning District. As such, this existing building is a legal non-conforming structure. The petitioners are proposing to construct an addition on the rear of the structure. Section 40.50.04 prohibits the expansion of legal non-conforming structures.

Mr. Maxwell asked what would happen if the City widens Long Lake Road. Mr. Stimac explained that the future right of way line does not go through the building. Mr. Stimac went on to say that it is not possible to say at this time if the building would have to be removed as part of that purchase. That would depend on the specifications of the right-of-way purchase at the time of the project.

Mr. Hutson asked Mr. Stimac to explain the Mapped right of way. Mr. Stimac stated that the master plan of the City shows basically a 150' right of way. Mr. Stimac went on to say that there are two areas designated as governed by a Mapped Improvement Plan, one of which is at Livernois and Long Lake and the other which is at Rochester and Long Lake. This plan allows for a parcel-by-parcel designation of what the ultimate right

ITEM #2 – con't.

of way should be to fit the actual improvements. Mr. Hutson asked if the City had any plans in the near future to acquire additional land. Mr. Stimac stated that he is not aware of any immediate plans for the City to purchase additional property. Mr. Stimac then went on to explain that Section 31.30.00, paragraph R, requires that setback regulations be measured from the ultimate right of way, as shown on the Master Thoroughfare Plan. Mr. Hutson stated that if the proposed building were freestanding, it would comply with the Ordinance, due to the fact that it was out of the required setback.

Mr. Courtney asked if the petitioner were to come in with a request to put up a new freestanding building, if it would meet the lot requirements. Mr. Stimac stated that in the B-1 Zoning District there is no maximum lot coverage. Mr. Stimac went on to say that the controlling factors would be parking and landscaping. Mr. Courtney then asked how high a building could be in the B-1 Zoning District and Mr. Stimac replied that it is limited to one-story.

Mr. Storrs asked if the proposed building was not connected to the main building, if it would comply with the Ordinance. Mr. Stimac stated that the new construction would comply. Mr. Stimac went on to say that because the proposed construction was connected it was considered to be an expansion of a non-conforming building.

Mr. Al Decker, part owner of East Long Lake Properties was present and stated that their hardship is due to the fact that Long Lake was widened and they were put in a position of non-conformance. The existing building was there before Long Lake was widened and feels that the City placed them in this position. Mr. Decker went on to say that he did not know if they would be required to have special firewalls if the buildings were to be separated. Mr. Stimac stated that the construction of the building would not have to be changed if he put up a separate building.

Mr. Fejes asked what type of business this was, and Mr. Decker stated that they are in the Realty Business. Mr. Courtney asked why the petitioner wanted the connector and the petitioner stated that they were trying to make the site more aesthetically pleasing and he also wishes to make the property more desirable to future tenants. Mr. Decker went on to say that they wished to make other improvements in the future, such as changing the brick and adding a canopy. Mr. Stimac explained that the addition of panel brick is not considered an expansion, but if the canopy did not meet the 25' setback, a variance would be required.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are no written approvals or objections on file.

Mr. Kovacs asked if Mr. Stimac was aware of any plans for the City to acquire additional property on Long Lake for the right-of-way and Mr. Stimac stated that there is no additional expansion that he was aware of planned within the next five years.

ITEM #2 – con't.

At this time, the petitioner stated that he wished to withdraw his request. No further action taken by the Board.

ITEM #3 – VARIANCE REQUESTED. SUSAN IM, 2586 PORTOBELLO, for relief of the rear yard setback to construct a 3-season patio room.

Mr. Stimac explained that the petitioner is requesting relief of the Zoning Ordinance to construct a 3-season patio room at 2586 Portobello. The site plan submitted indicates that the proposed patio room would result with a rear yard setback of 29.7'. Section 30.10.06 of the Zoning Ordinance requires a 35' minimum rear yard setback in the R-1E Zoning District.

Mr. Bill Davis of Champion Window Company was present and stated that he feels that this is a very small lot with a large house, and would like to add a 3-season 12' x 14' patio room, to allow the petitioner to be able to enjoy their back yard free of insects.

Mr. Maxwell asked what the plans were for the existing deck, and Mr. Davis said that they planned to remove the deck and place the patio room in this location. Mr. Davis went on to say that they were going to put in new footings. Mr. Maxwell also questioned the setbacks for the existing deck and Mr. Stimac stated that the Ordinance allows for an uncovered and unenclosed deck to encroach into the rear yard setback up to 15', but not less than 25' from the rear property line.

The Chairman opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

There are three (3) written approvals on file. There are three (3) written objections on file.

Motion by Courtney
Supported by Hutson

MOVED, to deny the request of Susan Im, 2586 Portobello, for relief of the rear yard setback to construct a 3-season patio room.

- Petitioner did not demonstrate a hardship.

Yeas: 6 – Hutson, Maxwell, Storrs, Courtney, Fejes, Gies
Nays: 1 – Kovacs

MOTION TO DENY REQUEST CARRIED

Mr. Hutson stated that Mr. & Mrs. Valente have been clients as well as friends of his for twenty years, and he wished to excuse himself from hearing Item #4.

Motion by Kovacs
Supported by Storrs

MOVED, to excuse Mr. Hutson from hearing Item #4.

Yeas: 6 – Kovacs, Maxwell, Storrs, Courtney, Fejes, Gies
Abstain: 1 – Hutson

MOTION TO EXCUSE MR. HUTSON CARRIED.

ITEM #4 – VARIANCE REQUESTED. TONY & DOREEN VALENTE, 132

ASPINWALL, for relief of the Ordinance to maintain an addition to a detached garage that exceeds the maximum allowable square footage requirement.

Mr. Stimac explained that the petitioners are requesting relief of the Ordinance to maintain an addition to a detached garage. The application submitted indicates a 480 square foot addition has been built to an existing 1200 square foot detached garage, resulting in a 1680 square foot building. This addition was constructed without first obtaining a building permit. Section 40.57.04 limits the size of all accessory buildings on a parcel of land to 600 square feet or one-half the ground floor area of the main building whichever is greater. The house footprint is 2145 square feet. As such, accessory buildings are limited to 1073 square feet on this site.

Mr. Maxwell questioned Mr. Stimac as to the height of the building, and Mr. Stimac stated that the original structure complied with the height requirements, but he has not seen the plans for the proposed structure and could not say if the height of this addition also complied. Mr. Maxwell expressed concern over the height of the building.

Mr. Courtney asked how the original garage was built to 1200 square feet. Mr. Stimac explained that in 1988 a building permit was submitted for a 1200 square foot garage, and was denied. The plans were then revised to reduce the building size to comply with the Ordinance, however the structure was built to the original larger specification. The Building Department did not notice the discrepancy at the time of final inspection.

Mr. and Mrs. Valente were present and Mr. Valente stated that he likes cars as well as being involved in car shows and car racing. Mr. Valente went on to say that this is a very large lot, and due to the fact that his family owns a large number of vehicles as well as lawn equipment, he needs the extra space for storage. Mr. Valente also said that the addition would not be visible from the road. Mr. Valente further stated that he helps his neighbors and gets along with them.

Mr. Courtney asked how the original building was put up larger than allowed for, and Mr. Valente stated that he had hired someone to do the work and did not know how the building was made larger. Mr. Courtney then went on and asked Mr. Valente about the addition, and Mr. Valente stated that he just started to put it up. Mr. Courtney also asked about a shed on Mr. Valente's property and if it would count for the maximum

ITEM #4 – con't.

square footage allowed. Mr. Stimac stated that the Building Department was not aware of the shed, however, the square footage would be considered in the total amount of accessory buildings. Mr. Valente stated that he did not get a building permit for the shed, but if he received his variance request, he would take the shed down.

Mr. Maxwell asked about the height of the pole barn and Mr. Valente stated that he thought it was approximately 15'8". Mr. Fejes asked if Mr. Valente had thought of what he was going to do if his request was denied and Mr. Valente stated that if he had to take it down he would. Mr. Fejes expressed concern over the size of the variance request and Mr. Valente stated that he needed the room to be able to work on his cars and store equipment. Mr. Fejes asked how many vehicles were in the family, and Mr. Valente stated that they owned right around ten (10) cars. Mr. Fejes went on to say that one of the objections brought up the fact that they thought a commercial business was being run out of the garage. Mr. Valente stated that his sons are attending college and have a grass cutting business.

Mr. Maxwell stated that in one of the objections, it was stated that there is a large trailer, and a motor home. Mr. Valente stated that he has a trailer to haul his racecars, a motor home, a van, pickup trucks and a tractor. Mr. Maxwell went on to say that this is a very large lot, and he feels that it can sustain a building of this size. Mr. Maxwell asked if the Valente's would be willing to shield this area from their neighbor and Mrs. Valente stated that they could add shrubbery in the area.

Mr. Kovacs and Mr. Courtney asked Mr. Valente if he was aware that he needed permits for the addition and shed and Mr. Valente stated that he did know.

The Chairman opened the Public Hearing.

Mr. Stefan Karpov, 154 Aspinwall was present and stated he lives next door to the Valente's. Mr. Karpov went on to say that he has had a good relationship with the petitioner, however he is very concerned about the lack of regard the petitioner shows for the laws in the City. Mr. Karpov said that even when Mr. Valente is told that he cannot do something, he goes ahead and does it anyway. Mr. Karpov also stated that in 1988, the neighbors had presented a petition to the City objecting to the size of the garage. Mr. Karpov went on to say that he believes that the people that approve of this request, are the neighbors that cannot see the construction on this site or the large vehicles that are parked next to his lot. Mr. Karpov went on to say that he and his wife have added many improvements to their property and is concerned over the fact that he believes his property value will go down if the Board grants this variance. Mr. Karpov said that they have added trees and shrubs in an attempt to screen Mr. Valente's property from his. Mr. Karpov stated that the buildings on this property look more like a small factory than a garage. Mr. Karpov expressed concern over the height of the building also. Mr. Karpov suggested that if Mr. Valente wants to add on to his garage, or building another building, he should put it on the other side of the lot.

ITEM #4

Mr. Courtney asked Mr. Karpov if he realized that this addition was going on the back of the existing garage and Mr. Karpov stated that he did. Mr. Courtney then asked how much of the structure would be visible from Mr. Karpov's property and he stated that all of it was visible. Mr. Karpov again stated that if the petitioner wanted extra storage space he should put it on the other side of the property.

Mr. Maxwell pointed out that if the Board were to deny Mr. Valente's request, he would have to remove the addition and items would then be in plain view. Mr. Maxwell stated that he was hoping there could be some kind of compromise. Mr. Karpov stated that if Mr. Valente needs the extra space, he would prefer he build a building on the other side of the property. Mr. Karpov also asked if the back of the property, would be cleared, or if Mr. Valente would still store his equipment at the back of the property. Mr. Maxwell stated that that was one of the details that would have to be worked out. Mr. Karpov also stated that he wanted Mr. Valente to agree to comply with the Ordinance, but would be willing to work with Mr. Valente. Mr. Karpov also indicated that he wished to contact a Real Estate Company to determine if his property values would be affected.

Mr. Fred Phillips, 6120 Niles was present and stated that his street intersects with Mr. Valente's street, and only sees the front of the house. Mr. Phillips stated that he felt that the size of the recreational vehicles, as well as the trailers and other equipment was understated. Mr. Phillips stated that there is a very large backhoe, landscape trailers that were at least 16' long, and a 35' motor home. Mr. Phillips stated that he is in favor of him adding to his property, but he is very concerned that the variance would go with the property and the possibility of a future owner using it as a business would exist. Mr. Phillips also said that he would rather see construction at the back of the lot than the front of the property.

No one else wished to be heard and the Public Hearing was closed.

There are four (4) written approvals on file. There are two (2) written objections on file.

Mr. Kovacs stated that he concerned due to the fact that the petitioner deliberately broke the Ordinance and does not feel that the petitioner had demonstrated any type of hardship.

Mr. Storrs asked the petitioner if he had thought of attaching the additional garage to his home, which would not necessitate a variance. Mr. Valente stated that he had not thought of doing that. Mr. Stimac explained that Mr. Valente could add another two-car garage to the main structure, and would be in compliance with the Ordinance.

ITEM #4

MOVED, to postpone the request of Mr. and Mrs. Tony Valente, 132 Aspinwall, for relief of the Ordinance to maintain an addition to a detached garage that exceeds the maximum allowable square footage requirement, until the next regularly scheduled meeting of December 18, 2001.

- Allow the petitioner the opportunity to bring in a proposal for screening.
- Postponing will allow the Building Department to inspect the site and determine the height of the existing building.
- To allow the petitioner the opportunity to work with his neighbor to determine if a viable solution could be met.

Yeas: 4 – Maxwell, Courtney, Fejes, Gies

Nays: 2 – Storrs, Kovacs

Abstain: 1 – Hutson

MOTION TO POSTPONE REQUEST UNTIL MEETING OF DECEMBER 18, 2001
CARRIED

The Board of Zoning Appeals meeting adjourned at 8:52 P.M.

MS/pp

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT – DECEMBER 5, 2001

The Chairman, Leonard Bertin, called the meeting to order at 7:00 pm Wednesday, November 7, 2001.

Present:	L. Bertin, member	K. Gauri, member
	A. Done, member	D. Kuschinsky, member
	T. House, member	J. Rodgers, member
	M. Grusnick, staff	M. McGinnis, staff

Absent:	C. Buchanan, member	N. Johnson, member
	M. A. Butler, alt member	J. Ong, student rep
	S. Lu, student rep	

ITEM B – APPROVAL OF MINUTES OF MEETING OF NOVEMBER 7, 2001

Bertin stated the fee for an individual membership for the new Community Center is \$180.00 a year, not \$90.00 as reflected in the minutes. This change noted and motioned by Kuschinsky to approve corrected minutes. Supported by Rodgers. All voted in favor.

ITEM C – VISITORS, DELEGATIONS AND GENERAL PUBLIC

Carol Anderson, Parks and Recreation Director
Pauline Manetta, Troy Resident

ITEM D – NEW BUSINESS

Carol Anderson was at the meeting to explain the purpose of establishing a definition of a disability. The purpose is to help City personnel in registering persons with disabilities for the reduced fee when the Community Center opens at the beginning of 2002.

Bertin stated that the best definition comes directly from Title 2 of the Americans with Disabilities Act of 1990, Pub. L. 101-336, which is also referred to as the “ADA”.

The term “disability” means, with respect to an individual –

- (A) A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
- (B) A record of such an impairment; or
- (C) Being regarded as having such impairment.

If an individual meets any one of these three tests, he or she is considered to be an individual with a disability for purposes of coverage under the Americans with Disabilities Act.

ADVISORY COMMITTEE FOR PERSONS WITH DISABILITIES – DRAFT – DECEMBER 5, 2001

Anderson also asked for input from the Committee on documentation of a disability, other than what would be obvious to City Personnel.

The Committee discussed the following criteria:

- 1) A Medicare Card
- 2) A Doctors note
- 3) A receipt from a Doctors office verifying a diagnosis
- 4) A patient medical record

Carol Anderson will also contact the Secretary of State to see what criteria they use when issuing a disabled parking sticker.

Done also suggested that large, dark print be used on the application to help the visually impaired when filling out the application.

ITEM E – REGULAR BUSINESS

At the next meeting on January 2, 2002 the Advisory Committee for Persons with Disabilities will meet with Troy City Council to discuss some of the concerns this Committee has expressed in the past. Grusnick will reserve a larger meeting room for this meeting.

The remainder of the Committees discussion at the December 2001 meeting was to prepare guidelines for discussion at the January 2002 meeting. Bertin will prepare a list of the items and it will be an attachment to the Minutes.

ITEM F – OLD BUSINESS

ITEM G – INFORMATIONAL ITEMS

ITEM H - ADJOURN

Motion was made to adjourn by Kuschinsky and seconded by Done. Meeting was adjourned at 9:00 p.m.

MG:mm

Advisory Committee for Senior Citizens
Minutes of December 6, 2001

Present: David Ogg, Member Steven Banch, Member
Jo Rhoads, Member Ed Forst, Member
Merrill Dixon, Member Bill Weisgerber, Member
Lawrence Jose, Member Carla Vaughan, Staff

Excused: Jane Crowe, Marie Hoag

Absent: None

Visitors: Carol Anderson, Kim Haveranek, Jo-Anne Stein

Approval of Minutes: Motion by Larry Jose, supported by Jo Rhoads that the minutes of November 1, 2001 be amended as follows: The vote on the motion to have the fitness area free for one month was Ayes: 9, Nays: 0. The vote on the motion regarding the low income discount was Ayes: 8, Nays: 1. Ayes: All Nays: None MOTION CARRIED

Old Business:

Community Center Fees: Carol Anderson answered questions and clarified details about passes, fees and discounts at the new Community Center. Mr. Ogg stated that the prices were too high for senior citizens.

Suggestion Box: A suggestion was received requesting that we reinstate the evaluation forms for one day trips. Carla reported that those forms have already been reinstated – they were not handed out for a short time due to a misunderstanding with the trip chaperones.

Donation for Lunch Program: Kim Haveranek, president of Emerald Food Service, was asked to explain why the suggested donation in Troy is more than at some other sites. She explained her budget and how the donation money is used. When donations increase, she is able to provide more meals. Bill Weisgerber provided copies of the Area Agency on Aging's guidelines for the program. Committee members are interested in increasing attendance at lunch. Carla reported that the new lunchroom will be almost 400 square feet bigger than the old one, and that she has met with Kim to discuss updating the program. Among the changes being considered is a "light" soup and salad lunch and a choice of beverages. Mr. Dixon suggested some smaller tables for those who do not want to sit at the large tables. A discussion was held about forming a committee to advise program administrators as required in the AAA guidelines.

New Business:

Survey Results: Carla Vaughan handed out the results to date of the survey that appeared in the November newsletter.

Other:

Member Comments: Larry Jose (and several other members) received their newsletter late again. Carla reported that they were mailed November 21, and that she would contact the post office again.

Parks and Recreation Report: Larry Jose reported that the new nature center is scheduled to open in December.

Troy Medi-Go *Plus* Report: Jo Rhoads reported the Medi-Go now has ten staff including seven drivers.

Nutrition Report: There were **1510** meals served in the Troy Community Center in **October**. The average donation was **\$1.76**. **1637** homebound meals were delivered.

The meeting was adjourned at 12:05 p.m.

Respectfully submitted,

Carla Vaughan
Secretary

Thursday, December 6, 2001 - 7:00 PM

As a current Troy School Board Trustee, Ms. Kerwin is ineligible to serve as a member of the Police and Fire Commission (Act 78) and her application was withdrawn in accordance with the provisions of Act 78 – Civil Service and Retirement, Section 38.503 – Member qualifications – Sec. 3, which states, “No commissioner shall hold any other elective office, place or position under the United States, state of Michigan, or any city, county or other political subdivision thereof”

7:25 PM – 7:43 PM: Peter F. Ziegenfelder

Mr. Ziegenfelder provided a brief introduction of his personal and employment background, and further discussed his interest in serving as a member of the Police and Fire Commission (Act 78).

(b) Resumes for applicants unable to attend December 6, 2001 Meeting:

Robert F. Rogowski

There was a consensus of the Commission members to contact Robert Rogowski and Patrick Daugherty, whose application was submitted subsequent to tonight's meeting, and schedule an additional meeting for the purpose of interviewing them.

Adjournment: The meeting was adjourned at 7:58 PM.

Donald E. McGinnis, Jr., Chairman

Barbara A. Holmes, Deputy City Clerk

The meeting was called to order at 7:30 p.m. by Committee Member Thomas Sawyer in Conference Room C.

PRESENT: Thomas Sawyer
David Balagna
W. Stan Godlewski
James Moseley
James Peard
Jennifer Gilbert, Student Representative
Sergeant George Zielinski
Lynn McDaniel, Clerk-Typist

ABSENT: Max Ehler
John Walker

Moved by Moseley, seconded by Balagna, to EXCUSE the absent member(s).
APPROVED unanimously

Moved by Balagna, seconded by Peard, to APPROVE the minutes of the November 12, 2001 meeting as printed.
APPROVED unanimously

AGENDA ITEMS:

1. **JUMBO INVESTMENT, INC.** requests transfer of 2000 Class C licensed business (in escrow) with Dance Permit and Official Permit (Food), located at 1555 E. Maple, Troy, MI 48083, Oakland County, from Yee's Investment, Inc. [MLCC REF#104432]

Present to answer questions from the committee was Mr. Shetwai Seto representing Jumbo Investment, Inc.

Mr. Shetwai Seto stated that the manager and most employees will remain at the restaurant. Manager and present employees are trained in the TIPS program and any new employees hired will be trained in the TIPS program. Mr. Seto stated that the City of Troy has inspected building and found some electrical and plumbing problems that need to be fixed and Mr. Seto has agreed to take care of those violations by the end of this week. Mr. Sawyer stated that the transfer of the Class C license will be made contingent on compliance of the city inspections.

Mr. Balagna and committee members commended Mr. Shetwai Seto on running an establishment with no liquor violations for over three years.

Moved by Balagna, seconded by Moseley, to APPROVE the above request.
APPROVED unanimously

2. **C. A. MUER CORPORATION** requests to transfer all stock through Merger (2001 licensing year) in 2001 Class C licensed business, located at 5498 Crooks, Troy, MI 48098, Oakland County, by dropping Anthony Adams (300 shares), Leo J. Beil (99,397 shares), Richard McMaster (1,200 shares), Gregory Ochoa (12,758

shares), Bruce Patterson (4,286 shares), Thomas J. Steiber (2000 shares), Scott C. Anderson (275 shares), Morris Huntley (20,515 shares), Robert Jones (2,000 shares), Alvin Plonka (400 shares), Bill Young (7,194 shares), Robert Zingle (67,902 shares), James Blake (19,026 shares), Ellen Daly (512 shares), Susan O'Neill (250 shares), Lorene Webster (4 shares), CB CAPITAL INVESTORS, INC. (659,191 shares), Robert A. Finkel (98,749 shares), Michael Carr-Turnbough (4,320 shares), James McIntyre (6,172 shares), MUER ACQUISITION LIMITED PARTNERSHIP (117,647 shares), Alan Mandel (6,172 shares), and Robert Ferngren (18,515 shares) through transfer of their 1,148,785 shares of stock to new stockholder, **HOSPITALITY PROPERTY GROUP, LLC**. All outstanding shares will be cancelled upon effective date, and new stockholder will be issued 100 shares. [MLCC REF #136094]

Present to answer questions from the committee was Mr. John Carlin, attorney for C. A. Muer Corporation.

Mr. Carlin stated that transfer of stocks will bring the restaurant back to the fine establishment it was when Mr. Chuck Muer was alive. Mr. Chase Morgan will remain an owner and Mr. Leo Beil will buy back shares.

Moved by James Peard, seconded by W. Stan Godlewski, to APPROVE the above request.
APPROVED unanimously.

- 3. 7-ELEVEN, INC. (A TEXAS CORPORATION)** requests a new Specially Designated Distributor (SDD) license, to be located at 2891 Crooks, Troy, Michigan, 48084, Oakland County, to be held in conjunction with existing 2001 Specially Designated Merchant license. [MLCC REF#137558]

Present to answer questions from the committee was Mr. Harvey Blitz, Franchise Director and Assistant Secretary for 7-Eleven, Inc.

Mr. Blitz stated that the new franchise owner, Mr. Nisar Siddiqui, a 7-Eleven franchisee for 16 years, would like to create a new image for this establishment. By providing a need for customers to purchase liquor at this store, liquor will be sold behind the counter and will be at most eight feet in length. Mr. Siddiqui will only sell selected types of liquors, not hundreds of different brands. Employees will have to enter birthdates into computer to generate sale. Mr. Sawyer asked if the other 7-Eleven's in Troy sell liquor. Sgt. Zielinski stated that two other stores in Troy sell liquor and have a good record. Mr. Moseley asked for a schematic of the layout of the liquor counter. Mr. Blitz did not bring one for the committee.

Mr. Blitz stated that 7-Eleven uses the Come of Age Program, a training program taught by 7-Eleven for new employees. This program teaches employees how to recognize and how to refuse a liquor sale with no confrontation to the customer. The TIPS program is also used for the employees. Mr. Moseley stated the committee would love to see 7-Eleven be an exemplary example to other small business owners in Troy.

Committee members would like Mr. Siddiqui to attend January meeting and bring a schematic of the layout of the liquor counter of the store.

Moved by Moseley , seconded by Godlewski, to TABLE item to January 14, 2001 meeting. APPROVED unanimously.

Committee members decided to wait until January meeting to review new criteria. Committee members discussed setting up a study session in the first week of February to go over the new criteria page by page. A date for the study session will be decided at January, 2002 meeting. Committee asked Sgt. Zielinski to provide an informational letter for new quota applicants. Sgt. Zielinski was asked to put together a complete package that will be sent to a new applicant and bring a sample packet to January meeting for review.

Moved by Moseley, seconded by Balagna, to ADJOURN the meeting at 8:04 p.m. APPROVED unanimously

LM/lm

A meeting of the Employees' Retirement System Board of Trustees was held on Wednesday, December 12, 2001, at City Hall in Conference Room "C". The meeting was called to order at 3:07 p.m.

TRUSTEES PRESENT: Mark Calice
Robert Crawford
Mark Halsey
Thomas Houghton, Chairman
John M. Lamerato
Anthony Pallotta
John Szerlag

ALSO PRESENT: Lori Grigg Bluhm
James D. Obermanns, Dykema Gossett
Laura Fitzpatrick

MINUTES

Resolution # 01-47

Moved by Pallotta

Seconded by Szerlag

RESOLVED, that the minutes of the November 14, 2001, meeting be approved.

Yeas: All 7

RETIREMENT REQUEST

Resolution # 01-48

Moved by Crawford

Seconded by Pallotta

RESOLVED, that the retirement request of Michael C. Kerr, 12/15/01, be approved.

Yeas: All 7

OTHER BUSINESS**Retirement Service Credit*****Resolution # 01-49***

Moved by Szerlag

Seconded by Calice

RESOLVED, that the Retirement Board recommends City Council adopt an amendment to Chapter 10, adding Section 4.5 Additional Service Credits for continuing part-time employees hired prior to January 22, 2001.

Yeas: All 7

Investment Policy

The Board reviewed the current investment policy. The proposed Investment Policy will be reviewed and adopted at the January Board meeting.

Election Results***Resolution # 01-50***

Moved by Pallotta

Seconded by Lamerato

RESOLVED, that Thomas Houghton be appointed to the Board for a term ending December 31, 2004.

Yeas: All 7

Extension of Option Writing Authority***Resolution # 01-51***

Moved by Pallotta

Seconded by Calice

RESOLVED, that if an option position has not been established by December 31, 2002, the authorization for that position will expire.

Yeas: All 7

INVESTMENTS

Resolution # 01-52

Moved by Pallotta

Seconded by Crawford

RESOLVED, that we redeem Jacobson Stores bond.

Yeas: All 7

Resolution # 01-53

Moved by Pallotta

Seconded by Halsey

RESOLVED, that we sell our entire position in the GAP.

Yeas: All 7

The next meeting is January 9, 2002 at 3:00 p.m. in Conference Room "C" at City Hall.

The meeting adjourned at 4:05 p.m.

ITEM # 1 The Vice-Chairman, Fern Nelsen, called the meeting to order at 7:30 P.M., on Thursday December 13, 2001.

ITEM # 2^{3/4} ROLL CALL **PRESENT:** David Cloyd
Margaret Gaffney
Fern Nelsen
Nancy Wheeler
Michael Gladysz (Student Representative)

STAFF: Brian Stoutenburg, Library Director

Motioned by Cloyd
Supported by Wheeler

MOVED TO EXCUSE LYNNE GREGORY.

Yeas: 4-----Ayes. Cloyd, Gaffney, Nelsen, Wheeler

ITEM # 3 APPROVAL OF MINUTES OF MEETING OF NOVEMBER 8, 2001.

Motioned by Wheeler
Supported by Cloyd

MOVED, TO APPROVE THE MINUTES OF THE MEETING OF NOVEMBER 8, 2001 AS WRITTEN.

Yeas: 4 — Ayes. Cloyd, Gaffney, Nelsen, Wheeler

ITEM # 4 APPROVAL OF AGENDA.

Motioned by Cloyd to approve agenda.
Supported by Gaffney

Yeas: 4 — Ayes. Cloyd, Gaffney, Nelsen, Wheeler

MOVED, TO APPROVE AGENDA CARRIED.

ITEM #5^{3/4} POSTPONED ITEMS^{3/4} None.

ITEM #6A^{3/4} SIRSI DEMONSTRATION.

The Board had a brief instructional class on how to search materials using the iBistro Catalog.

ITEM #6B ³/₄ DISCUSSION OF SPACE REORGANIZATION.

The construction part of the project is winding down. Still to be addressed are the lobby and Circulation furnishings, office furnishings, ceiling tiles, chair reupholstery, lighting issues and some painting. The bid process has been completed for the new roof.

ITEM #7 ³/₄ REPORT AND COMMUNICATIONS

Director's report. The Director's Report is attached.

Board Member comments. Margaret Gaffney mentioned the number of patrons using the library before official opening. Nancy Wheeler mentioned that the last Booked for Lunch program was excellent.

Suburban Library Cooperative. No report.

Friends of the Troy Public Library. No report.

Monthly Reports (November). Circulation for the month of November compared with the same time period a year ago showed an increase of 16.7%. There was an increase in Patron visits by 17.1%. Program attendance was up 24.5%, and the number of library programs offered was up 51.5%

Staff Changes.

NEW EMPLOYEES: Rachel Mermell, Page; Jay Vogelbaum, Page; Hazra Lakadawala, Library Assistant; Christopher Lawson, Page; Julie Moylan, Page; Katherine Downie, Library Assistant; Carolyn Easter, Business Office Aide.

RESIGNATION: Sangeeta Varma, Page.

Gifts. Two gifts in the amount of \$55.00 were received.

Informational Items. December TPL Calendar

Contacts and Correspondence. 20 written comments from the public were noted.

Public Participation. There was no public participation.

The Library Advisory Board meeting adjourned at 8:35 P.M.

Respectively submitted,

Brian Stoutenburg
Library Director

Thursday, December 13, 2001 - 7:00 PM

Mr. Daugherty provided a brief introduction of his personal and employment background, and further discussed his interest in serving as a member of the Police and Fire Commission (Act 78).

Appointment of Civil Service Member :

Moved by McGinnis
Seconded by Cannon

RESOLVED, That Patrick Daugherty be appointed to fill the unexpired vacant Civil Service term scheduled to expire April 30, 2002.

Yes: All-2

Adjournment: The meeting was adjourned at 7:50 PM.

Donald E. McGinnis, Jr., Chairman

Barbara A. Holmes, Deputy City Clerk

G-3 Department Reports:

(a) 2001 Financial Summary – Financial Services Division

Note: Copy of above report forwarded in packet and/or can be viewed at the City of Troy's City Clerk's office.



DuPont Herberts Automotive Systems

RECEIVED

DEC 11 2001

CITY OF TROY
CITY MANAGER'S OFFICE

DuPont Herberts Automotive Systems
945 Stephenson Highway
P.O. Box 2802
Troy, MI 48007-2802
(248) 583-8200

December 6, 2001

Troy Police Dept.
Att: Charles Craft
500 W. Big Beaver Rd.
Troy, MI 48084

We would like to thank your organization for the presentation on Crime Prevention and Safety by Sgt. David Swanson. The presentation was outstanding and well received by our entire organization. Sgt. Swanson did an excellent job of providing pertinent information and engaging the audience's interest and enthusiasm.

Thanks again for your support.

Sincerely,

R. Kevin Van Dette
Research Supervisor

RKV/ms

cc: Bill Cholewka
Cindy Brown

RECEIVED

Chief of Police

12/10/01 CTR

G-6a

TROY

SCHOOL DISTRICT

Janet H. Jopke, Ed.D., Superintendent of Schools

4400 Livernois Road
Troy, Michigan 48098-4799
248.823.4000
248.823.4012 Fax
jjopke2@troy.k12.mi.us

December 10, 2001

The Honorable Matt Pryor
Mayor of Troy
500 W. Big Beaver Road
Troy, Michigan 48084


Dear Mayor Pryor:

I was so very pleased to have been informed that the City of Troy has put signs at four major gateways into the city announcing achievements of the Troy School District. The district is extremely appreciative of the city creating the signs that display some of the achievements of the Troy School District and its students. Obviously, we are very proud of our students' accomplishments, and this is an opportunity for the community at large to become more aware.

I would most particularly like to thank Cindy Stewart and Bill Need who worked with the district to develop the signage.

Again, thank you so very much.

Sincerely,



Janet H. Jopke, Ed.D.
Superintendent of Schools

JHJ/js

C: Cindy Stewart
Bill Need



Bichitra Inc.

www.bichitrainc.com

(2001 - 2002)
917 Jordan Drive
Troy, MI 48098

Executive Committee

President

Debasish Ghosh

Vice President

Gopa Chandra

Secretary

Pradip Sengupta

Treasurer

Adhip Majumdar

Members

Kasturi Bagchi

Ajit Bannerjee

Indranil Barman

Sushanta Basak

Gopa Gangopadhyaya

Ranjan Mitra

Chandrima Roy Chowdhury

Barun Saha

Debasish Talapatra

Advisory Council

Snehamay Khasnabis

Susmita Mookerjee

Ranjit Roy

Shyamal Sarkar

Arup Gangopadhyay

Internet

Chayan Roy Chowdhury

December 15, 2001

Charles T. Craft, Chief of Police
Troy Police Department
500 W. Big Beaver Road
Troy, MI 48098

Dear Sir,

On behalf of Bichitra Inc. executive committee, I wish to thank Troy Police Department for providing security during our annual event on October 19 and 20, 2001 at the Barnard Elementary School, Troy. We appreciate the warmth shown by the officers on duty. Needless to say, the guests were able to enjoy the event without worrying about security.

We wish 'Happy Holidays' to the entire staff of Troy Police Department.

Sincerely,

Debasish Ghosh
President, Bichitra Inc.

RECEIVED

Chief of Police

12/19/01 C&



City of Roseville
POLICE DEPARTMENT

Richard Heinz
Chief of Police

29753 Gratiot Avenue ♦ Roseville, Michigan 48066-4197
Phone: (586) 775-2100 Fax: (586) 445-5066

December 17, 2001



Charles Craft, Chief of Police
Troy Police Department
500 W. Big Beaver
Troy, MI 48084

RE: Detective Diane Campbell

Dear Chief Craft:

On 10/16/01 the Zales Jewelry Store located at our Macomb Mall experienced a larceny of a diamond ring and bracelet valued at \$17,000.00. There was a video tape of the subject, along with several witness descriptions of same, but no other leads were developed. The case was assigned to Detective Andrew Beemer.

Det. Beemer sent a LEIN message to area departments on 10/19/01. On 10/30/01 Det. Beemer received a response from Detective Diane Campbell who informed him of a known subject who is under investigation in Livonia, Ann Arbor, and Meridian Twp. for the same type of jewelry store larcenies. Det. Campbell identified this subject as Gregory Jackson, b/m 12/09/67, SID# was also provided, along with his female companion, Yvonne Jackson, b/f 9/16/64 with her alias.

Det. Campbell went one step further and provided a photo lineup for the subject with 5 other b/m subjects of similar age and appearance, which, I have no doubt, will withstand any legal challenge. The lineup resulted in a positive identification of the person responsible for this theft and a subsequent warrant was authorized for Mr. Jackson for larceny from person.

NAMES REDACTED

I am sure you are already aware of Detective Campbell's outstanding reputation in our law enforcement community. She always provides information at the monthly detective meetings with enthusiasm and makes the professional reputation your department has in its progressive approach to law enforcement extremely apparent.

I would like to thank Detective Campbell for all her assistance. If there is any way we can be of service to you in the future, I hope you won't hesitate to call.

Sincerely,

D/Sgt. James Knobelsdorf
Detective Bureau
(586) 447-4492

JK:j



St. Joseph Catholic Community

715 N. Lapeer Road
Lake Orion, MI 48362
(248) 693-0440 Fax (248) 693-3724

December 16, 2001

Chief Charles Craft
Troy Police Department
500 West Big Beaver
Troy, Michigan 48084

Dear Chief Craft,

I speak for the members of St. Joseph Church, in expressing our gratitude to you for the participation of one of your Police Officers, Lieutenant Keith Frye, in the Memorial Ceremony at our All Souls' Day Mass, the evening of Friday, November 2, 2001.

At that Mass, in addition to our usual custom of calling the names of persons whose funerals were held at St. Joseph Church during the past year, we mentioned: "All those who died in the attack on America" on September 11.

For this occasion, we sought officers from our local Law Enforcement and Fire Fighting institutions, who would agree to participate in a symbolic candle lighting ceremony. They would represent not only those civilians who died in the attack, but the officers who fell in the line of duty, heroically trying to rescue them.

Lieutenant Frye's willingness to honor us by participating, on very short notice, was a generous gift of his time. His respectful, dignified demeanor contributed immensely to the solemnity of the occasion, making our Memorial Mass all the more meaningful. We were impressed in so many ways.

You would have been proud of Lieutenant Frye's reverent, professional presence. The Troy Police Department was beautifully represented, and we are so very grateful.

Rev. Bernard J. Mullen



A/C

Troy City Manager John Szerlag,

Mr. Szerlag first let me say I have been a Troy resident since I was a kid, moving to Troy in 1966, my wife since 1950 has been a resident, and we have been Troy homeowners together since 1982. I am impressed and thankful for the prosperity and growth this city has enjoyed.

The past spring the city embarked on a project to replace the storm drains, gas mains and water mains in my neighborhood. I welcomed this because I was sure they needed updating. I was also sure this would be no easy feat. The project started in March 2001 and finished up in October 2001. The project was contracted to Simone Contracting Corp., heading up the project as site forman was a gentleman named Bob Dommer.

From my view point Mr. Dommer and Simone Corp. were professional courteous, efficient, helpful, outgoing, patient and very informative. They kept the traffic moving and the driveways open and the streets clean. Bob Dommer and Simone Corp. are to commended for their professionalism and job performance. I would welcome them back for future projects in my neighborhood. I am looking forward to the final phase of the project next spring in which the street will be capped with a fresh layer of asphalt. As a city manager you are to be commended also, it was a job well planned and executed, my hat is off to every one at City Hall and Simone Corp. who were involved in the project.

Thank You
Thomas & Susan Cox
1605 Muer Dr.
Troy, Mi. 48084

c: Mary Shripka
Steve Vandette

RECEIVED

DEC 18 2001

CITY OF TROY
CITY MANAGER'S OFFICE

G-6f

January 2002

January 2002							February 2002						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28		

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
	January 1, 02	2	3	4	5
	Holiday-City Offices Closed	8:30am Building Code Board of Appeals (City Hall (LL)) 7:30pm Joint Council & Adv Comm Per/Disabilities (City Hall (Training Room))	10:00am Advisory Comm/Senior Citizens (Community Center)		6
7	8	9	10	11	12
7:30pm City Council-Regular (Council Chambers)	7:30pm Planning Commission-Regular Session (Council Cha 7:30pm Historical Society (Community Center) 8:30pm City Council Study (City Hall (LL))	3:00pm Employee Retirement System (City Hall (C))	7:30pm Parks & Recreation Board (Community Center) 7:30pm Library Board of Trustees (Library)		13
14	15	16	17	18	19
7:30pm City Council-Regular (Council Chambers) 7:30pm Liquor Control Committee (Conference Room C)	7:30pm Board of Zoning Appeals (Council Chambers) 7:30pm Historic District Commission (City Hall (C))	7:30am Downtown Development Authority (City Hall (LL)) 7:30pm Traffic Committee (City Hall (LL))	3:00pm Brownfield Redevelopment Authority (City Hall (LL)) 7:00pm Cable Advisory Committee (City Hall (C))		20
21	22	23	24	25	26
	7:30pm Planning Commission-Study (LL) 7:30pm Historical Commission (Museum) 8:00pm Troy Daze (Community Center)				27
28	29	30	31		

February 2002

February 2002							March 2002						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
3	4	5	6	7	1	2	3	4	5	6	7	1	2
10	11	12	13	14	8	9	10	11	12	13	14	15	16
17	18	19	20	21	22	23	17	18	19	20	21	22	23
24	25	26	27	28			24	25	26	27	28	29	30
							31						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
				February 1	2
					3
4	5	6	7	8	9
7:30pm City Council-Regular (Council Chambers)		8:30am Building Code Board of Appeals (City Hall (LL)) 7:00pm Adv Comm Per/Disabilities (City Hall (LL))	10:00am Advisory Comm/Senior Citizens (Community Center)		10
11	12	13	14	15	16
7:30pm Liquor Control Committee (Conference Room C)	7:30pm Planning Commission-Regular (Council Chambers) 7:30pm Historical Society (Community Center)	3:00pm Employee Retirement System (City Hall (C))	7:30pm Parks & Recreation Board (Community Center) 7:30pm Library Board of Trustees (Library)		17
18	19	20	21	22	23
7:30pm City Council-Regular (Council Chambers)	7:30pm Board of Zoning Appeals (Council Chambers) 7:30pm Historic District Commission (City Hall (C))	7:30am Downtown Development Authority (City Hall 8:00am Election Commission Meeting (Conference 7:30pm Traffic Committee (City Hall (LL))			24
25	26	27	28		
7:30pm City Council Liquor Violation Hearings (Council Chambers)	7:30pm Planning Commission-Study (City Hall (LL)) 7:30pm Historical Commission (Museum) 8:00pm Troy Daze (Community Center)	7:30pm City Council Liquor Violation Hearings (Council Chambers)			

December 17, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager\Services
Jeanette Bennett, Purchasing Director
William R. Need, Public Works Director

SUBJECT: Vehicle Auction

Seven (7) vehicles were auctioned at Motors Auction Group public auction (formally known as Copart Auto Auction) on December 8, 2001. These vehicles were sold for a total of \$26,525.00.

Our income is as follows:

Total selling price \$26,525.00

Costs: Auction Fee ~~(997.50)~~ *

Net Income \$25,527.50

* (\$142.50 cost per vehicle times 7 vehicles)

Prepared by: Samuel P. Lamerato, Superintendent of Motor Pool

December 27, 2001

To: Honorable Mayor and City Council

From: John Szerlag, City Manager
Gary A. Shripka, Assistant City Manager/Services
Carol K. Anderson, Parks and Recreation Director

Subject: Skate Park Location

Recommendation

Staff requests City Council approve the area northwest of the Community Center as the permanent site for the development of the skate park. This area currently is a parking lot.

Background

As directed by Council, a focus group was formulated to get input from potential users regarding park design. Much enthusiasm and many good ideas came out of these meetings.

There are several factors which make this site most viable:

- 1) The development of the skate park adds a youth activity area to the site and becomes a youth destination with the Community Center, tennis courts, and Aquatic Center nearby.
- 2) The proximity to the Police Station creates a police presence increasing safety and security.
- 3) The site is cost effective as no land costs are incurred.
- 4) The additional activity helps market the Community Center & Aquatic Center.
- 5) The park adds a public sector element to the Civic Center site.
- 6) The site is centrally located in the city and would be accessible to the most users.

Initially, staff requested approval of the area east of this site at the corner of Town Center and Livernois. Council requested an alternative site to this location.

Other alternatives to this site:

- 1) Livernois park (Section 22) – the disadvantage to this site is the housing adjacencies, exact wetland delineation and the need to redevelop ball diamonds/soccer fields from the Civic Center.
- 2) John R park (Section 24) – the disadvantage to this site is the adjacencies to housing and eastern location in the City.
- 3) Willow Grove parcels (Section 11) – this site is located in the northwest quadrant of the City and would reduce accessibility to some users. The site is also intended to be part of a linear park. The skate park in this location may not allow for both elements.

It is anticipated that the skate park be approximately one acre in size.

Attachment #1 is a concept schematic of the park prior to the teen input.

Attachment #2 shows the proposed location of the park on the Civic Center site.

Budget

Funds for the development of the skate park are available in Capital Fund/Park Development.

Prior to expending funds, the project will be bid and returned to Council for contract approval.

CKA/mp

SUGGESTED RESOLUTION A:

Resolved, that the City Council of the City of Troy approves the skate park be located northwest of the Community Center on Town Center.

SUGGESTED RESOLUTION B:

Resolved, that the City Council of the City of Troy approves the skate park be located in Section 22, on the east side of Livernois across Town Center.

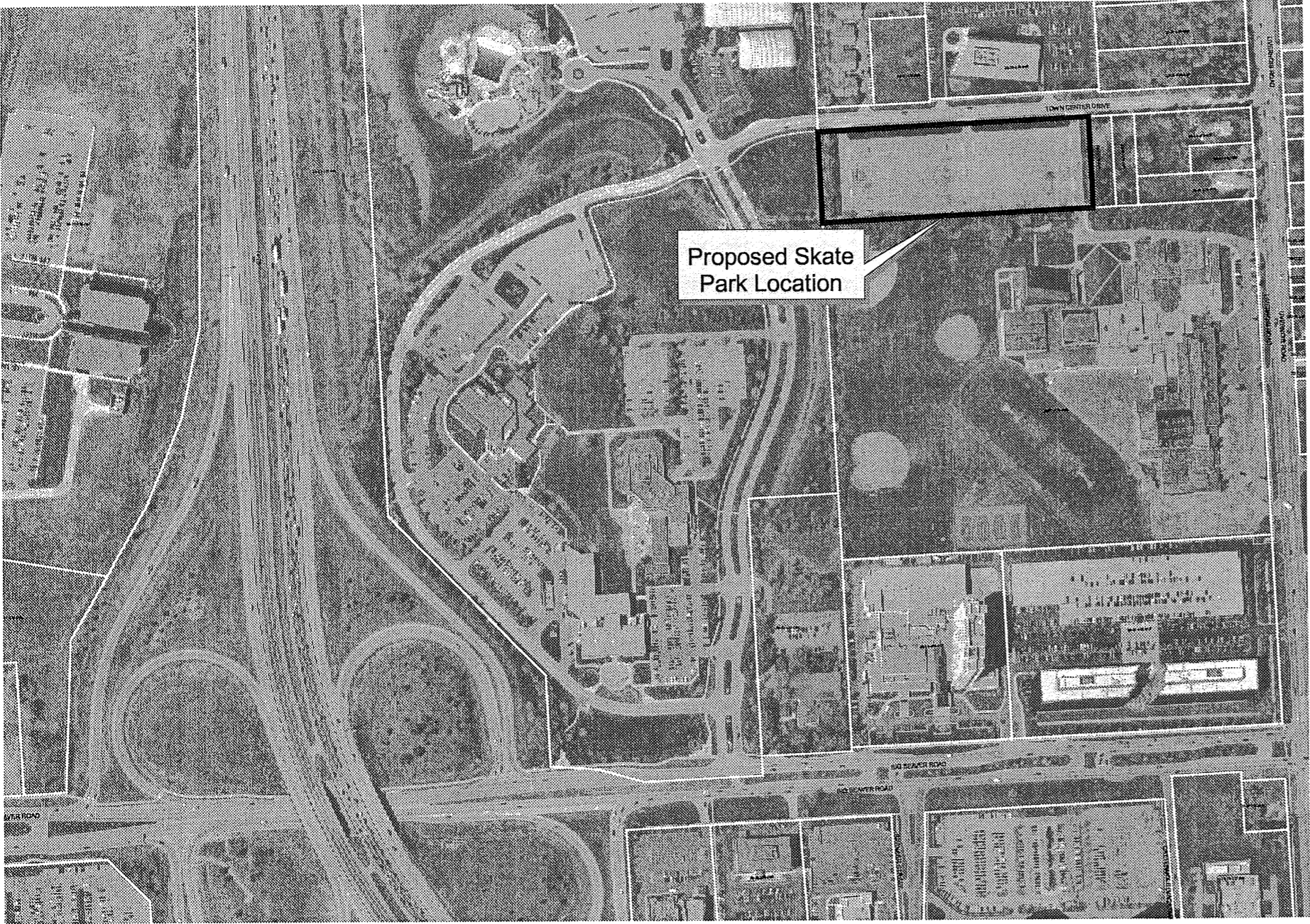
SUGGESTED RESOLUTION C:

Resolved, that the City Council of the City of Troy approves the skate park be located in Section 24, at 3500 John R.

SUGGESTED RESOLUTION D:

Resolved, that the City Council of the City of Troy approves the skate park be located in Section 11, at Square Lake and Willow Grove.

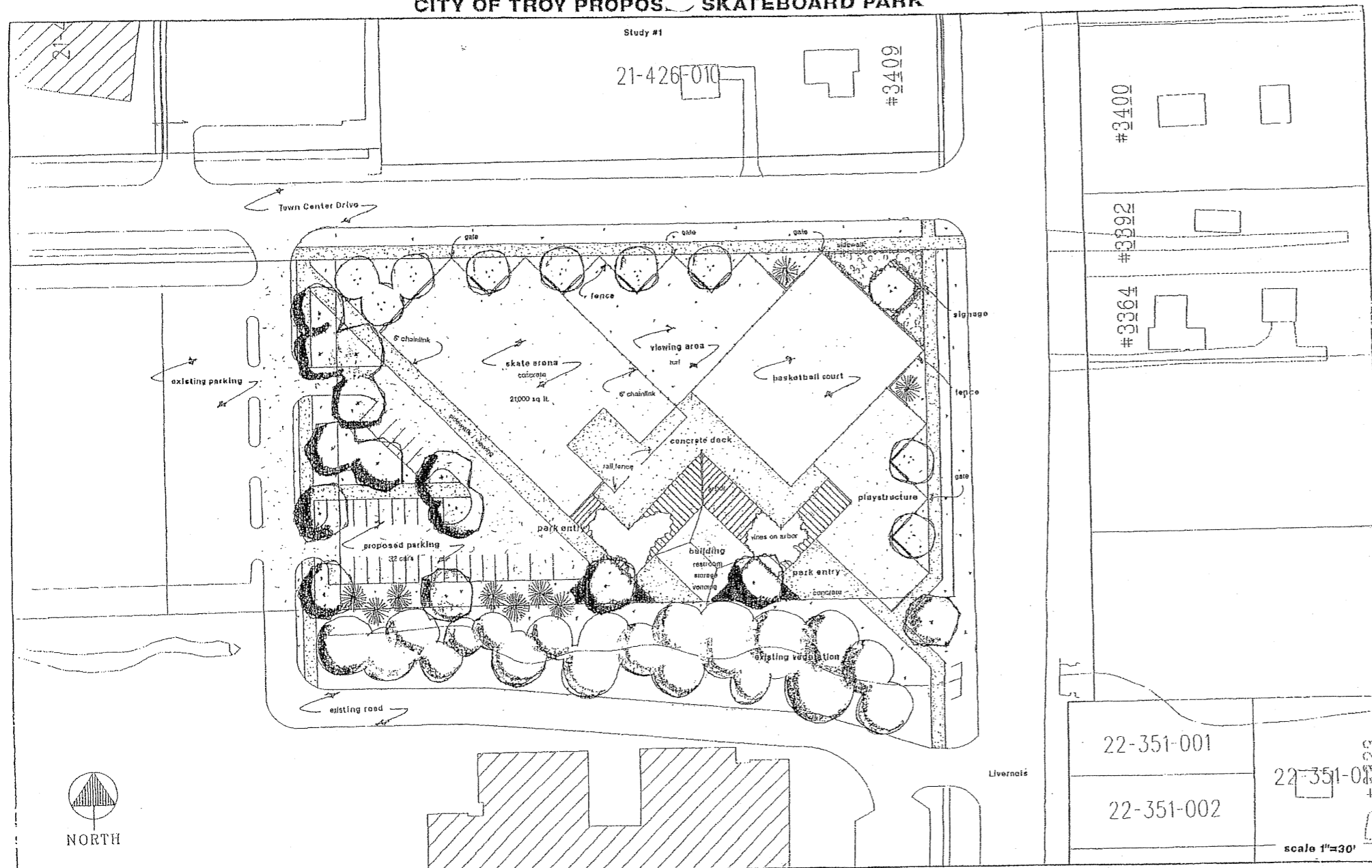
Proposed Skate Park Location



200 0 200 400 Feet



CITY OF TROY PROPOS. SKATEBOARD PARK



Feasibility Study



Memorandum

To: Mayor and City Council
From: John Szerlag, City Manager
John M. Lamerato, Assistant City Manager/Finance & Administration
Tonni L. Bartholomew, City Clerk
Date: January 3, 2002
Subject: City Precinct Redistricting

The City Clerk's Office has reviewed City precincts and polling locations and recommends that City Council approve the proposed Precinct Boundaries and Polling Locations. The Election Commission will be provided a copy of this memorandum at their meeting of January 3, 2002. The Election Commission's action will be forwarded to Council after the Commission's meeting.

Due to reapportionment tied to Census 2000, the City Clerk's Office has reviewed precincts boundaries and polling locations to determine compliancy with State Statute requirements and new County Commissioner Districts. Throughout the review we have considered the impact precincts have on polling locations and usability for the voter.

Major factors in the boundary decision-making process are several Statute requirements. Precinct size may not exceed 2,999 registered voters. Precinct boundaries must be "clearly defined and clearly observable". New County Commissioner District boundaries also contribute to the realignment of precinct boundaries. Additionally, precinct numbers have also been reassigned to provide for a more user-friendly system. Numbers were assigned to more closely follow Section Numbers.

Polling locations were also addressed by the Clerk's Office. Several polling locations were found to be non-compliant or have severe constraints, which hamper the voting process. The Clerk's Office received several calls regarding polling locations. The calls ranged from simple directions to locations to complaints regarding accessibility, limited parking, polling location size and student security. Taking all of these matters into consideration, several days over the past summer were spent combing the city for replacement locations. A mailing was prepared and sent to every religious establishment in the City of Troy. Next, the Clerk and Deputy Clerk identified and personally visited several potential sites. While visiting the sites, we took note of location, barrier free status, Statute compliancy and facility attributes (rest room locations, room size, etc.) It should be noted that every location we visited graciously invited us to utilize their facility. While the schools have always been available to us for polling location usage and our relationship with the schools is excellent, we believe that utilizing the proposed locations provides our voters with a more usable facility for election purposes.

Polling locations were also given high consideration for their ability to house 2 precincts. The reasoning for placement of two precincts in polling locations is for potential sharing of supplies, worker/Chair placement, staff deliveries and technical support and for future consolidation of precincts on one question ballots for a possible per election cost saving.

Troy Schools has also contacted the City Clerk's Office and requested that their precinct boundaries and polling locations be changed to mirror their elementary school districts. These changes will be incorporated into new voter identification cards containing city voter information, which will be mailed to all voters.

City management recommends that the City precinct boundaries and polling locations be changed as indicated on the attached Precinct map.

As a result of the redistricting, all registered voters will receive a new voter identification card. Additionally, new precinct maps will be posted at the Library, Community Center and City Hall. Several news releases will be prepared and sent to all local newspapers, Cable TV and Troy Today. All former-polling locations will be provided with flyers to distribute on Election Day advising voters of their new location should they go to their former location. Copies of the new precinct boundary details and polling locations will be forwarded to the Secretary of State and Oakland County.

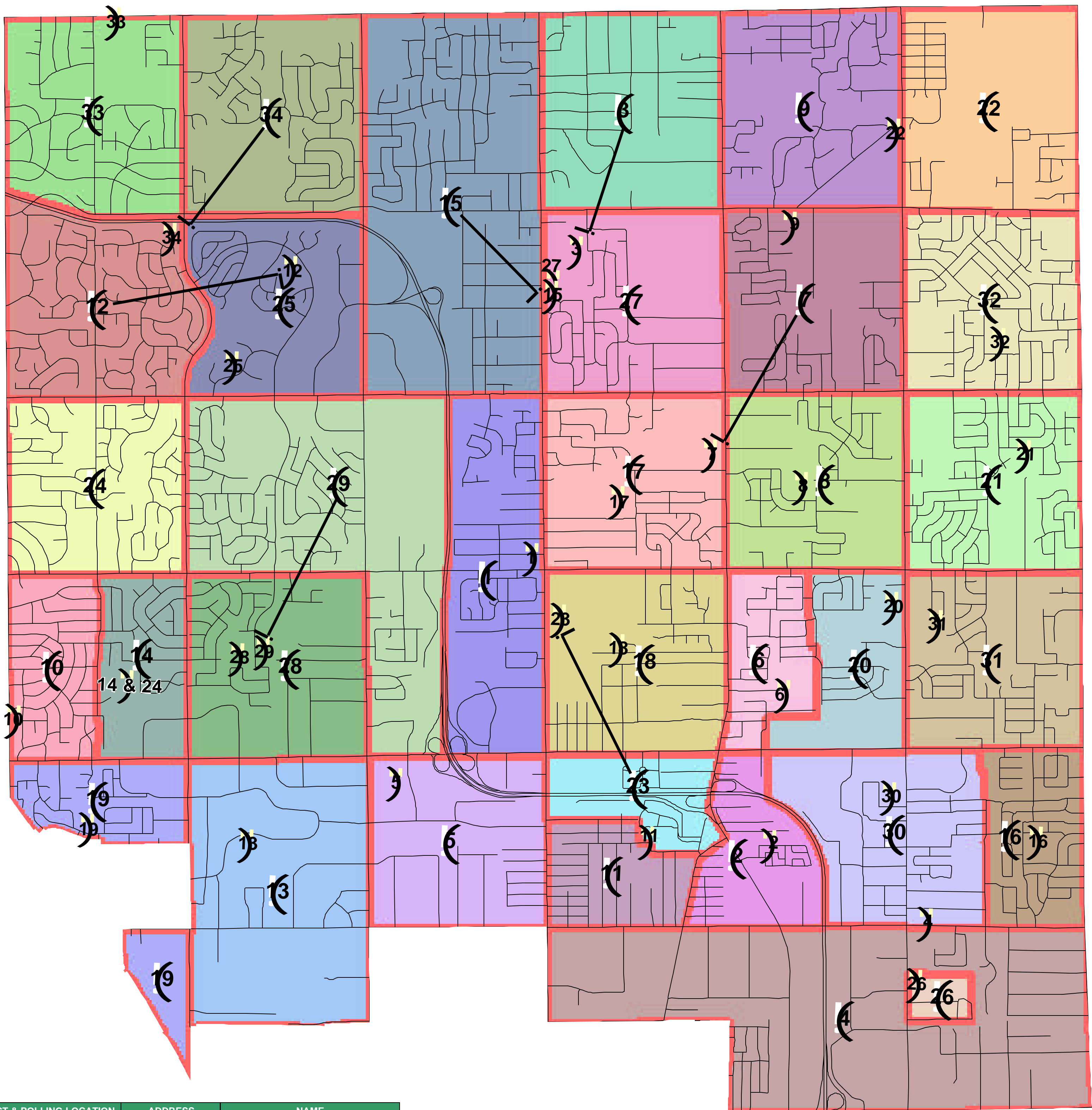
RECOMMENDED MOTION:

RESOLVED, That the City of Troy precinct boundaries and polling locations be changed as follows:

PRECINCT	BOUNDARY	POLLING LOCATION
1	Section 1 in its entirety	Evanswood Church of God 2601 E Square Lake
2	Section 2 in its entirety	Kensington Community Church 1825 E Square Lake
3	Section 3 in its entirety	St Elizabeth Ann Seton 280 E Square Lake
4	Section 4 in its entirety	Faith Apostolic Church 6710 Crooks
5	Section 5 in its entirety	Faith Apostolic Church 6710 Crooks
6	Section 6 in its entirety	Troy Nature Center 6685 Coolidge
7	Section 7 in its entirety and that portion of Section 8 west of Coolidge Highway	St Stephen Episcopal Church 5500 Adams
8	Section 8 east of Coolidge Highway	Northfield Hills Baptist Church 1750 Brentwood
9	Sections 9 & 10 in their entirety	St Elizabeth Ann Seton Church 280 E Square Lake
10	Section 11 in its entirety	Fellowship United Church 4050 Coolidge
11	Section 12 north of Highbury, east of Harbor, north of Willard, north and east of English	Evanswood Church of God 2601 E Square Lake Road
12	Section 12 south of Highbury, west of Harbor, south of Willard, south and west of English	Fire & Police Training Center 4850 John R
13	Section 13 in its entirety	Fire & Police Training Center 4850 John R
14	Section 14 in its entirety	St Anastasia Catholic Church 4571 John R
15	Section 16 in its entirety and that portion of Section 16 east of I-75	St Lucy Croatian Church 200 E Wattles
16	The portion of Section 16 west of I-75 and Section 17 in its entirety	St Nicholas Greek Orthodox Church 760 W Wattles
17	Section 18 in its entirety	St Stephen Episcopal Church 5500 Adams
18	Section 19 in its entirety	Fellowship United Methodist Church 4050 Coolidge
19	Section 20 in its entirety and the portion of Section 21 west of I-75	St Nicholas Greek Orthodox Church 760 W Wattles



20	The portion of Section 21 east of I-75 and Section 22 in its entirety	St Lucy Croatian Church 200 E Wattles
21	Section 23 in its entirety	St Anastasia Catholic Church 4571 John R
22	Section 24 in its entirety	St Joseph Chaldean Catholic Church 2440 E Big Beaver
23	The portion of Section 25 north of Athena, west of Alexander, north of Paris, north of Brinston and the portion of Section 26 north of Brinston, east of Bellingham	St Joseph Chaldean Catholic Church 2440 E Big Beaver
24	The portion of Section 25 south of Athena, east of Alexander, south of Paris, south of Brinston and the portion of Section 26 south of Brinston, east of Bellingham	St George Greek Orthodox Church 2240 E Maple
25	The portion of Section 26 west of Bellingham and Section 27 in its entirety	Troy Community Center 3179 Livernois
26	Section 28 in its entirety	Troy Community Center 3179 Livernois
27	Section 29 in its entirety and Section 32 in its entirety	St Alan Catholic Church 2345 Coolidge
28	Section 30 in its entirety and Section 31 in its entirety	St Alan Catholic Church 2345 Coolidge
29	Section 34 in its entirety, Section 35 in its entirety and Section 36 with the exception of The Towers Group	St George Greek Orthodox Church 2240 E Maple
30	The Towers Group portion of Section 36	Oakland Park Tower 920 John R

Existing City of Troy Precincts and Polling Locations

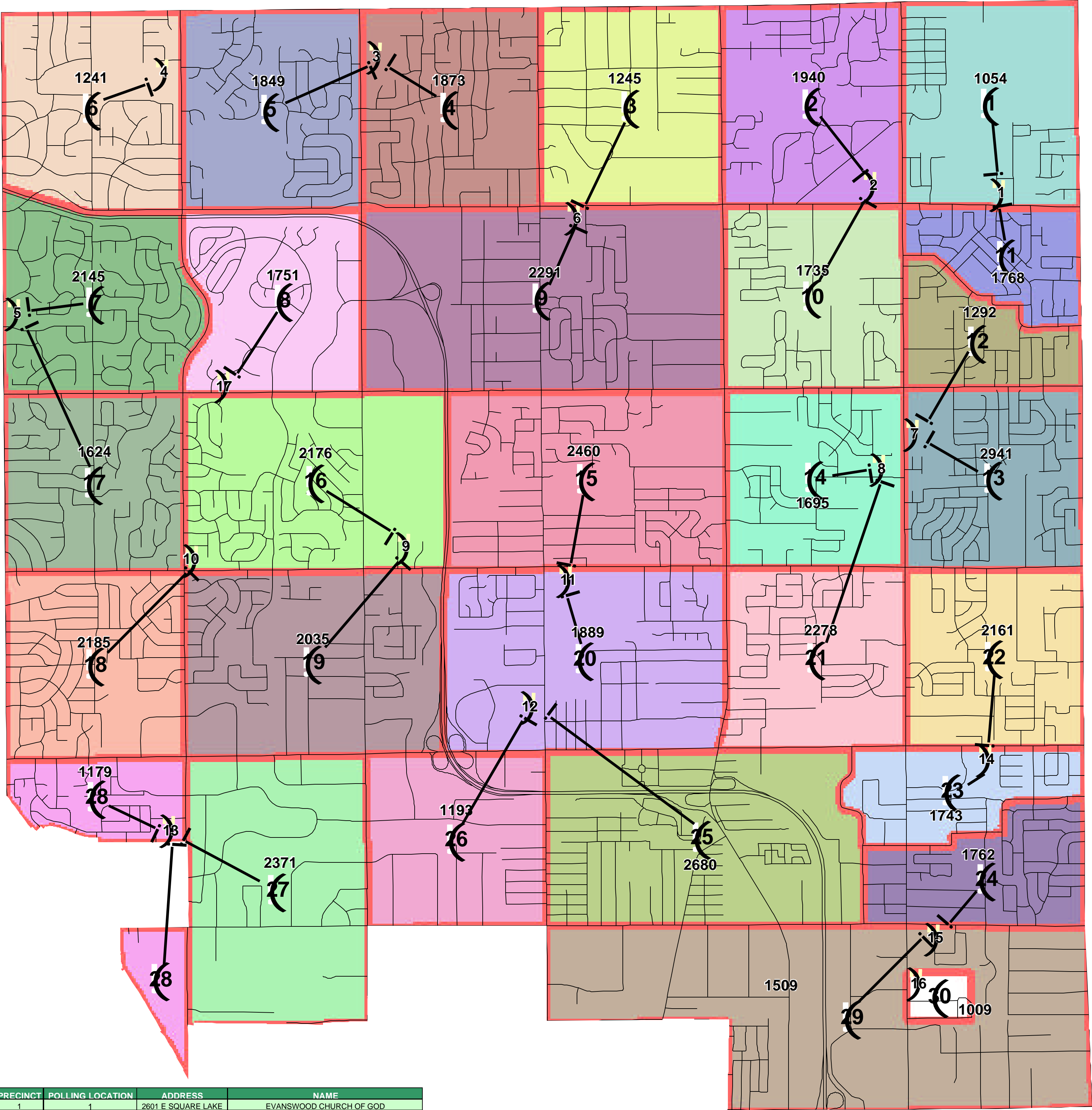


PRECINCT & POLLING LOCATION	ADDRESS	NAME
1	60 W WATTLES	TROY HISTORICAL MUSEUM
2	2100 STEPHENSON	TROY MOBILE HOME VILLA
3	5835 DONALDSON	SMITH MIDDLE SCHOOL
4	2103 E MAPLE	TROY FIRE STATION # 4
5	2869 TROY CENTER DR	VILLAGE GREEN OF TROY
6	1291 TORPRY	BAKER MIDDLE SCHOOL
7	4693 ROCHESTER	TROY DEPARTMENT OF PUBLIC WORKS
8	1333 HAMMAN	COSTELLO ELEMENTARY SCHOOL
9	1340 E SQUARE LAKE	TROY UNION ELEMENTARY SCHOOL
10	3150 ADAMS	NORTH HILLS CHRISTIAN REFORMED CHURCH
11	550 HICKORY	MORSE ELEMENTARY SCHOOL
12	5625 NORTHFIELD PKWY	HAMILTON ELEMENTARY SCHOOL
13	2501 SOMERSET	ACTIVITIES BUILDING
14	3541 JACK	SCHROEDER ELEMENTARY SCHOOL
15	5600 LIVERNOIS	TROY FIRE STATION # 2
16	2200 CASTLETON	SUSICK ELEMENTARY SCHOOL
17	4401 TALLMAN	LEONARD SCHOOL

PRECINCT & POLLING LOCATION	ADDRESS	NAME
18	3555 ELLENBORO	WATTLES ELEMENTARY SCHOOL
19	955 NORTH ETON	PEMBROKE ELEMENTARY SCHOOL
20	3753 JOHN R	BIG BEAVER UNITED METHODIST CHURCH
21	4600 FORSYTH	HILL ELEMENTARY SCHOOL
22	6399 JOHN R	FIRE STATION # 5
23	3838 LIVERNOIS	WALSH COLLEGE
24	3541 JACK	SCHROEDER ELEMENTARY SCHOOL
25	1750 BRENTWOOD	NORTHFIELD HILLS BAPTIST CHURCH
26	920 JOHN R	OAKLAND PARK TOWERS
27	5666 LVERNOIS	MARTELL ELEMENTARY SCHOOL
28	3571 NORTHFIELD PKWY	BEMIS ELEMENTARY SCHOOL
29	3570 NORTHFIELD PKWY	BOULAN MIDDLE SCHOOL
30	2601 JOHN R	FIRST BAPTIST CHURCH
31	3601 FORGE	BARNARD ELEMENTARY SCHOOL
32	2340 WILLARD	WASS ELEMENTARY SCHOOL
33	3305 W SOUTH BLVD	TROY FARM
34	5901 COOLIDGE	TROY FIRE STATION # 6

 **PRECINCT NUMBER**
 **POLLING LOCATION**

Proposed City of Troy Precincts and Polling Locations



PRECINCT NUMBER
POLLING LOCATION

December 14, 2001

TO: The Honorable Mayor and City Council

FROM: John Szerlag, City Manager

SUBJECT: Agenda from Building Industry Association

The attached agenda from the Building Industry Association of Southeastern Michigan had a dialogue forum on the time frame to issue building permits. One of the topics was "what makes it possible for Troy to issue building permits in one week or less?" The answer is really quite simple; we have a culture of professionalism and practice customer service. This of course is underpinned by dedicated and knowledgeable employees who conduct themselves in a professional manner.

JS/mr\2001\To M&CC\Agenda from Building Industry Association

Agenda – Building Permit Forum

December 5, 2001

- I. Uniform Statewide Building Code
 1. Can local units of government change or make additions to the code?
- II. What can be done to reduce the amount of time for issuance of a building permit?
 1. Time required to process a building permit the following communities:
 - i. Birmingham – 6-8 weeks
 - ii. Farmington Hills – 6-8 weeks
 - iii. Franklin – 6-7 weeks
 - iv. Macomb Township – 6-8 weeks
 - v. Novi – 6-8 weeks
 - vi. Oakland Township – 4 weeks
 - vii. Orion Township – 4 weeks
 - viii. Rochester Hills – 6 weeks
 - ix. Southgate – 8 weeks
 - x. West Bloomfield – 4-6 weeks
- III. Dialogue for forum
 1. What would create a delay in the issuance of a building permit in various communities?
 2. What can be done to expedite issuance of building permits?
 3. What are the reasons why it takes more than 6 or more weeks for issuance?
 - ✓ 4. What makes it possible for Troy to issue building permits in one week or less?
 5. What can builders do to make it possible for building departments expedite building permits?
 6. Is the length of time for issuance of building permits the result of processing time in engineering departments? If so, what are the remedies?
 7. Are building and engineering department adequately staffed?

8. Is the charge for building permits adequate?
9. Is the delay in the issuance of building permits a result of no growth or slow growth attitudes?
10. Would legislation mandating the length of time of issuance of building permit a solution?
11. Is the homebuyer the real victim in the delay of issuance of building permits?
12. What can Henry Green's department do to help expedite the issuance of building permits?
13. Are builders at fault for the delay?
14. How can builders assist in the expedition of building permits?

IV. Basement egress

1. What are the requirements for compliance to the code?

V. Development of a uniform building permit application to be used by all local governments

December 27, 2001

TO: SOCRRRA

FROM: Gary A. Shripka, SOCRRRA Representative, City of Troy

SUBJECT: Red Oaks Golf Course

Recently a resolution was presented to the Board from the Oakland County Parks and Recreation Commission. The resolution spelled out the Commission's commitment to current and future restoration of the Red Oaks Golf Course. Because no action was taken by SOCRRRA, the Oakland County Parks and Recreation Commission is recommending abandoning the redevelopment of the golf course (copy attached).

Believing that letting the property go fallow is a detriment and not a benefit to SOCRRRA or the community, John Szerlag and I met again with Ralph Richard, Executive Officer of Oakland County Parks and Recreation, and Joseph Colaianne, Drainage District Insurance Administrator, to hopefully propose a solution to the impasse. As a result, I am proposing the attached resolution approved by Ralph Richard and Joe Colainne be approved by the SOCRRRA Board at their January 16, 2002 meeting. The modification to the original resolution occurs in (1) indicating that the time to pay off the original restoration debt could be less than twenty (20) years. As we all know, debts can be paid off earlier depending on revenue, interest rates, etc., and I believe the County would take advantage of any opportunity to pay off the debt early.

The immediate benefits to approving this resolution is that SOCRRRA will settle all current litigation with the Drain Commission and eliminate future legal fees. Additionally, SOCRRRA will save maintenance fees on the property should the golf course move forward. Finally, no one has listed what problems may occur with the drain that would require future restoration.

A copy of this memo and the proposed resolution will also be sent to the Oakland County Parks and Recreation Commission prior to their January 9, 2002 meeting. Our hope would be to have them delay any action on the Red Oaks Golf Course until after our meeting on January 16, 2002.

Attachment

cc: Ralph Richard, Oakland County Parks and Recreation
Joseph Colaianne, Oakland County Drainage District
John Szerlag, City of Troy

WHEREAS, on May 3, 2000, the Parks and Recreation Commission adopted a resolution where it committed funding to restore the Red Oaks Golf Course and pay for the restoration over the next twenty (20) years in conjunction with bonding of the George W. Kuhn Drainage Project, subject to the following conditions: (1) the Oakland County Parks and Recreation millage was secured throughout the twenty (20) year period, (2) the George W. Kuhn Draining District's acquisition of the 18+/- acres from SOCRRA and (3) and restoration required as a result of future drain improvements will not require Parks and Recreation Commission funding; and,

WHEREAS, the George W. Kuhn Drainage District (GWKDD) and the Southeastern Oakland County Resource Recovery Authority (SOCRRA) are currently negotiating the acquisition of the property by the drainage district; and

WHEREAS, SOCRRA adopted a resolution that the property acquisition by the Drainage District is subject to the condition that current and any restoration and alteration of the Red Oaks Golf Course be the financial responsibility of the Oakland County Parks and Recreation Commission regardless of the need to restore or alter; and

WHEREAS, as result of the positions of the parties there is an impasse.

NOW, THEREFORE BE IT RESOLVED, the Oakland County Parks and Recreation Commission reaffirms its commitment and resolution to fund the restoration of the Red Oaks Golf Course necessitated by the improvements presently being constructed for the George W. Kuhn Drain and to pay for the restoration costs over the next twenty (20) years in conjunction with the bonding of the George W. Kuhn Drain Project ("Project") or by some other loan on terms acceptable to the Oakland County Parks and Recreation Commission subject to the following conditions:

(1) During the period of time the Oakland County Parks and Recreation Commission is paying off over a period of twenty (20) years or less either the Project or other loan related to the current restoration costs of the Red Oaks Golf Course, the GWKDD will be solely responsible for any golf course restoration costs resulting from future drain improvements that occur during that period;

(2) For ten (10) years thereafter, the GWKDD and the Parks and Recreation Commission agree to share equally the costs of any future golf course restoration resulting from any drain improvements that occur during that period; and

(3) Thereafter, Parks and Recreation Commission will be solely responsible for golf course restoration costs, if any, that may result from future drain improvements;

(4) Nothing in the resolution shall be construed to require the Parks and Recreation Commission to operate the Red Oaks Golf Course for any finite period of time.

FURTHER BE IT RESOLVED, that the Commission authorizes its staff and the Department of Corporation Counsel to negotiate with the GWKDD an agreement to implement this resolution and to obtain funding necessary to restore the golf course.

FURTHER BE IT RESOLVED, that the May 3, 2000 resolution is amended to incorporate the foregoing.